



GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO

FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO
MINISTRY OF FINANCE



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**GUIDANCE TO FINANCIAL INSTITUTIONS ON THE
PROCEDURES FOR SUBMITTING QUARTERLY TERRORIST REPORTS**
In accordance with the Anti-Terrorism Act, Chap. 12:07

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INTRODUCTION

The Anti-Terrorism Act, Chap. 12:07 (“the ATA”) is designed to assist in combating terrorism and the financing of terrorism. It provides for the detection, prevention, prosecution, conviction and punishment of terrorist activities and the confiscation, forfeiture and seizure of terrorists’ assets and the assets of those involved in the financing of terrorism.

In keeping with its purpose, the ATA places obligations on Financial Institutions (*as defined in section 2 of the Proceeds of Crime Act, Chap 11:27*)¹, to ensure that terrorist’s funds are not transferred or hidden with or without intent to do so.

This guidance note is intended to aid Financial Institutions in the implementation of their obligations, under section 33(3) of the ATA, to report to the FIUTT whether it has in its possession or control terrorist property. This guidance note does not address obligations on Terrorists Funds Reports (TFR) under sections 22AB and 22C of the ATA. For information on filing TFRs, please read the FIUTT’s [Guidance Terrorist Financing and Procedures on Reporting Terrorist Funds](#).

DEFINITIONS

- i. **Consolidated List of High Court Orders** means the list of Orders issued by the High Court of Trinidad and Tobago declaring an entity to be a listed entity pursuant to section 22B(3) of the ATA, as maintained by the FIUTT in accordance with section 22AA(2)(e) of the ATA;
- ii. **Designated Entity** means an individual or entity and their associates designated as terrorist entities by the United Nations Security Council, the 1267, 1989 and 2253 Committee or the 1988 Committee;
- iii. **List of Designated Entities** means the Lists published by the United Nations Security Council in relation to the 1267, 1989 and 2253 Committee or the 1988 Committee;
- iv. **Listed Entity** means an entity declared to be a listed entity in accordance with section 22B(3) of the ATA;
- v. **Terrorist Property** means (a) proceeds from the commission of a terrorist act; (b) property which has been, is being, or is likely to be used to commit a terrorist act; (c) property which has been collected for the purpose of funding a terrorist act or terrorist organisation; or (d) property belonging to a terrorist or terrorist organisation, as defined at section 2(1) of the ATA;
- vi. **Property or funds** means assets of any kind, whether tangible or intangible, moveable or immovable, however acquired and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets.

The following are examples of property or funds for the purpose of TFR:

- bank credits;
- payment cards;
- payment instruments;

¹ For the purposes of this Guidance Note, reference to “*Financial Institutions*” includes Non-Regulated Financial Institutions as defined in section 2(1) of the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01.

- travellers cheques;
- bank cheques;
- money orders;
- shares;
- securities;
- bonds;
- drafts;
- letters of credit whether situated in Trinidad and Tobago or elsewhere

Also included are legal or equitable interests in:

- precious metals;
- oil and other natural resources and their refined products;
- modular refineries and related material; and
- other economic resources which may be used to obtain funds, goods or services.

(*Please note that the above list is not exhaustive).

OBLIGATIONS OF REPORTING ENTITIES

By virtue of **Section 33(3) of the ATA**, every Financial Institution is required to report **EVERY THREE (3) MONTHS** to the FIUTT:

- (a) If it is not in possession or control of terrorist property, that it is not in possession of such property; or
- (b) If it is in possession or control of terrorist property, that it is in possession or control such property and the particulars relating to the persons, accounts and transactions involved and the total value of the property.

These reports are referred to as Quarterly Terrorist Property Reports 1 and 2 respectively (*hereinafter referred to as "QTR 1" and QTR 2" respectively*).

Section 33(6) of the ATA provides that every financial institution which fails to comply with its obligations in Section 33(3), commits an offence and is liable, on conviction of indictment, to imprisonment for five (5) years.

WHEN TO SUBMIT A QTR 1 or QTR 2 FORM TO THE FIUTT

The obligations under Section 33(3) of the ATA, requires Financial Institutions to report every three (3) months to the FIUTT.

Though there is no legislated due date, the FIUTT is guided by the standards of the Financial Action Task Force ("FATF") which require countries to adopt measures to ensure proper implementation of financial sanctions without delay. FATF explains '*the phrase without delay should be interpreted in the context the need to prevent the flight or dissipation of funds or other assets which are linked to terrorists, terrorist organisations, those who finance terrorism*'.

As such, Financial Institutions are obligated to consult the List of Designated Entities and the Consolidated List of High Court Orders on the last day of the reporting quarter (see section on "Screening" in this document).

The Compliance Officer of the Financial Institution is required to submit the relevant QTR to the FIUTT **no later than the seventh (7th) working day of the following quarter**. For example, the report for the quarter ended March 31, must be submitted to the FIUTT by the 7th working day of April of that year.

QTR 1

Where the Compliance Officer has confirmed that the Financial Institution is not in possession of terrorist property for the relevant quarter, the Compliance Officer must submit a QTR 1 via the [reporting procedures](#) detailed in this Guidance.

QTR 2

Where the Compliance Officer has confirmed that the Financial Institution has previously filed a Terrorist Funds Report (TFR) and *continues* to be in possession of terrorist property, i.e. each quarter following the first confirmation, the Compliance Officer must submit a **QTR 2** report via the [reporting procedures](#) detailed in this Guidance.

TFR

The FIUTT reminds all Compliance Officers, that upon **first confirmation** that the Financial Institution is in possession of terrorist property, a TFR must be submitted to the FIUTT **immediately** by registered mail or by hand. The Compliance Officer may also contact the Director of the FIUTT before dispatching the TFR. Please consult the [Guidance Terrorist Financing and Procedures on Reporting Terrorist Funds for further information on filing a TFR](#).

All TFRs and QTRs must be treated as confidential documents.

REPORTING PROCEDURE

To assist Financial Institutions in satisfying their legal obligations under Section 33(3) of the ATA, the FIUTT has developed a procedure by which the required information can be electronically submitted, via an online submission process, to the FIUTT utilising either a QTR 1 Form or a QTR 2 Form.

1. SCREENING

Prior to completing and submitting a QTR 1 Form or QTR 2 Form, each financial institution is required to verify its customers against the following lists:

- (a) [United Nations Security Council Resolution \(UNSCR\) 1267/1989/2253 Sanctions List](#) and [United Nations 1988 Sanctions Committee List](#) (together referred to as the “List of Designated Entities” in accordance with section 2(1) of the ATA²)
- (b) [Trinidad and Tobago Consolidated List of Court Orders](#); and

This process involves “screening” the names of the Designated Entities and Listed Entities against the Financial Institution’s list of customers and/or clients or vice versa.

Screening customers against persons or entities identified on the above mentioned lists enables Financial Institutions to detect and verify whether any of its customers have been designated as

² Please note that both the ISIL (Da'esh) & Al-Qaida Sanctions Committee List - UNSCR 1267/1989/2253, and the UN Security Council Sanctions Committee Established Pursuant to Resolution 1988 (Taliban) List are contained in the [United Nations Security Council Consolidated List](#). If you have consulted the United Nations Security Council Consolidated List, you would have consulted both the ISIL (Da'esh) & Al-Qaida Sanctions Committee List - UNSCR 1267/1989/2253, and the UN Security Council Sanctions Committee Established Pursuant to Resolution 1988 (Taliban) Lists, together with all other lists maintained by the UN Security Council.

terrorists and whether it has in its possession or control any terrorist property. This process should form part of the customer due diligence measures undertaken by the Financial Institution.

For the purpose of obligations under **Section 33(3) of the ATA**, this screening process ought to be conducted at intervals of every three months. In order to ensure accurate and appropriate filing of QTR Forms, Financial Institutions should screen its customer/client list against the most recent updated List of Designated Entities and Consolidated List of High Court Orders, prior to filing the relevant QTR Form.

*In the event that this screening process yields a **negative** result, the financial institution is required to complete and submit a QTR 1 Form to the FIUTT.*

*In the event that this screening process yields a **positive** result, the financial institution is required to complete and submit a QTR 2 Form to the FIUTT.*

Financial Institutions are reminded that this is a separate procedure from the requirement to screen customers and/or clients at on-boarding and immediately upon receiving updates from the FIUTT on the List of Designated Entities and Consolidated List of High Court Orders pursuant to **section 22AB of the ATA**. Please consult the [Guidance Terrorist Financing and Procedures on Reporting Terrorist Funds for further information on filing a TFR](#) for further information.

Please note that Financial Institutions are encouraged to also screen their customers against any other globally recognised sanctions list they have incorporated into their regime (such as Office of Foreign Assets Control [OFAC]).

THE FIUTT TARGETED FINANCIAL SANCTIONS SEARCH TOOL

The Targeted Financial Sanctions Search Tool (TFS Search Tool) is managed by the FIUTT and provides Reporting Entities with an online tool to conduct searches of the known names and aliases of individuals and entities. This online tool replaces the previously used PDF Consolidated List of High Court Orders for the maintenance and circulation of the lists of designated and listed entities as required by section 22AA(2)(a), (b), (c), and (e) of the Anti-Terrorism Act, Chap. 12:07 (ATA).

Reporting entities are required to utilise this Tool when screening clients. The FIUTT TFS Search Tool can be accessed on the FIUTT's website and Reporting entities are advised to read the [TFS Search Tool User Guide](#) to ensure accurate usage of the FIUTT TFS Search Tool. Click here: [FIUTT TFS Search Tool](#)

2. SUBMISSION OF A QTR 1 OR QTR 2 FORM

Both QTR 1 and QTR 2 Forms can be accessed on the FIUTT's website by clicking the link:

>>[QTR1: QTR1 Form](#)

>>[QTR2: QTR2 Form](#)

Financial Institutions are required to complete the appropriate QTR Form in its entirety. That is, all mandatory fields must be completed and all other relevant information included. For your convenience, you are encouraged to have the relevant information available prior to starting the QTR Form.

Please note that you cannot save your information entered on the QTR Form and return to it at a later date. Once completed, selecting the “Submit” option will end the submission process. Upon submission of the QTR Form, it is then possible to print or download a copy for your records.

Please note that the FIUTT is no longer accepting the submission of scanned QTR Forms via email or hand delivered hard copies. Submissions are to be completed utilising the digital form for the new FIUTT online QTR submission process.

Please see below for instructions on completing a QTR 1 and QTR 2 Form.

A. COMPLETION OF A QTR 1 FORM

The QTR 1 Form ought to be completed by the approved Compliance Officer and in his/her absence, the approved Alternate Compliance Officer.

Where, upon screening its customers against the [List of Designated Entities and Consolidated List of High Court Orders](#), the Compliance Officer of the Financial Institution has determined that a QTR 1 Form is the appropriate form to be submitted to the FIUTT, the following instructions apply:

1. Select your category of entity from **Question 1** and you will then be directed to the question regarding your corresponding entity type.
2. Select your entity name from the drop down box. If you do not see your entity’s registered name in the drop down box, please contact the FIUTT via fiucompexams@gov.tt
3. Select the correct year and quarter for the corresponding reporting period.
4. Ensure that all fields in the QTR1 Form are answered truthfully for identification purposes.
5. Ensure the date submitted corresponds with the date you have completed the new FIUTT online QTR digital form.
6. Please click SUBMIT once you have completed the QTR1 Form.
7. You may now download and/or print a copy of your submission in keeping with your record keeping obligations.

***Please note that the signature of the approved Compliance or the approved Alternate Compliance Officer is **not required** for the submission of this Form.*

The FIUTT QTR 1 Form may be accessed [here](#).

B. COMPLETION OF A QTR 2 FORM

The QTR 2 Form ought to be completed by the approved Compliance Officer and in his/her absence, the approved Alternate Compliance Officer.

Where, upon screening its customers against the [List of Designated Entities and Consolidated List of High Court Orders](#), the Compliance Officer of the Financial Institution has determined that a QTR 2 Form is the appropriate form to be submitted to the FIUTT, the Compliance

Officer should have the following information available prior to commencing completion of the QTR 2 Form:

| REQUIRED INFORMATION | FOR INDIVIDUAL | FOR COMPANY |
|----------------------|-------------------------------------|-------------------------------------|
| | Full Name | Legal name |
| | Address | Registered Address of Company |
| | National ID Number | Company's Registration Number |
| | Nationality | Country |
| | Telephone Number | Telephone Number |
| | Occupation | Nature of Business |
| | Email Address | Email Address |
| | Account Number | Account Number |
| | Type of Account | Type of Account |
| | Currency | Currency |
| | Dollar Amount Involved | Dollar Amount Involved |
| | Any other relevant property details | Any other relevant property details |

When the Compliance Officer is ready to complete the QTR 2 Form, the following instructions apply:

1. Select your category of entity from **Question 1** and you will then be directed to the question regarding your corresponding entity type.
2. Select your entity name from the drop down box. *(If you do not see your entity's registered name in the drop down box, please contact the FIUTT via fiucompexams@gov.tt.)*
3. Select the correct year and quarter for the corresponding reporting period.
4. Indicate whether you are reporting on an individual or a company. *(You are advised to submit separate forms for each individual or company that yields a positive result during your screening process.)*
5. Ensure that all fields in the QTR2 Form are answered truthfully for identification purposes.
6. Ensure the date submitted corresponds with the date you have completed the new FIUTT online QTR digital form.
7. Please click SUBMIT once you have completed the QTR2 Form.
8. You may now download and/or print a copy of your submission in keeping with your record keeping obligations.

***Please note that the signature of the approved Compliance or the approved Alternate Compliance Officer is **not required** for the submission of this Form.*

The FIUTT QTR 2 Form may be accessed [here](#).

Dated 1st February, 2024

Nigel Stoddard
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