

# 6

## NATIONAL ANTI-MONEY LAUNDERING COUNCIL

The National AML Council is established under section 35 of the FTR Act and is Fiji's national AML/CFT coordination committee.

The vision of the National AML Council is *"an effective and efficient legal system and institutions to prevent and detect money laundering, terrorist financing and other serious financial crimes in Fiji."*

The Council's missions are to:

- i. provide sound and timely advice to the Minister and other relevant stakeholders on the prevention of money laundering and terrorism financing;
- ii. promote a strong legal and institutional AML/CFT framework; and
- iii. facilitate networking and cooperation amongst relevant stakeholders.

The Council seeks to achieve these missions by:

- i. providing sound and timely advice to the Minister and other government agencies on policy and regulatory AML/CFT matters;
- ii. promoting a strong legal, policy and institutional framework to comply with international AML/CFT standards and best practices;
- iii. supporting institutions in their efforts to combat money laundering and terrorist financing;
- iv. encouraging and facilitating networking and cooperation between agencies; and
- v. providing advice to the FIU on AML/CFT issues.

The members of the National AML Council are:

- i. Permanent Secretary for the Ministry for Justice, as Chairperson;
- ii. Director of the ODPP;
- iii. Commissioner of Police;
- iv. Governor of the RBF;
- v. Chief Executive Officer of the FRCA; and
- vi. Director of the FIU.

The Council may invite other persons to attend the Council meetings. There are five invited members of the Council. These are:

- Director, Immigration Department;
- Permanent Secretary, Ministry of Economy;
- Permanent Secretary, Ministry of Defence, National Security and Immigration;
- Permanent Secretary, Ministry of Foreign Affairs; and
- Deputy Commissioner, FICAC.

The FIU is the secretariat to the Council.

## NATIONAL AML COUNCIL MEMBERS 2016



**Sharvada Sharma**

Solicitor General &  
Acting Permanent Secretary for Justice  
(Chairperson)



**Barry Whiteside**

Governor  
Reserve Bank of Fiji



**Visvanath Das**

Chief Executive Officer  
Fiji Revenue and Customs Authority



**Christopher Pryde**

Director  
Office of the Director of Public  
Prosecutions



**Sitiveni Qiliho**

Commissioner  
Fiji Police Force



**Razim Buksh**

Director  
Financial Intelligence Unit

## NATIONAL AML COUNCIL INVITED MEMBERS 2016



**Osea Cawaru**

Permanent Secretary  
Ministry of Defence, National  
Security and Immigration



**Makereta Konrote**

Permanent Secretary  
Ministry of Economy



**Yogesh Karan**

Acting Permanent Secretary  
Ministry of Foreign Affairs



**Nemani Vuniwaqa**

Director  
Immigration Department



**George Langman**

Deputy Commissioner  
Fiji Independent Commission  
Against Corruption

## Functions of the Council

The functions of the Council are provided for in section 35(5) of the FTR Act and are:

1. to advise the FIU and the Minister on any matters relating to the prevention of money laundering or the financing of terrorism;
2. to make recommendations to the Unit and the Minister on any matter relating to the prevention of money laundering or the financing of terrorism;
3. to assist the FIU and the Minister in the formulation of policies or strategies relating to the prevention of money laundering or the financing of terrorism and
4. to assist the FIU in coordination between various Government departments and with statutory corporations.

## Council Working Groups

The National AML Council is supported in its work by three working groups, namely:

- i. Legal Working Group
- ii. Supervisors and Regulators Working Group
- iii. Law Enforcement Working Group

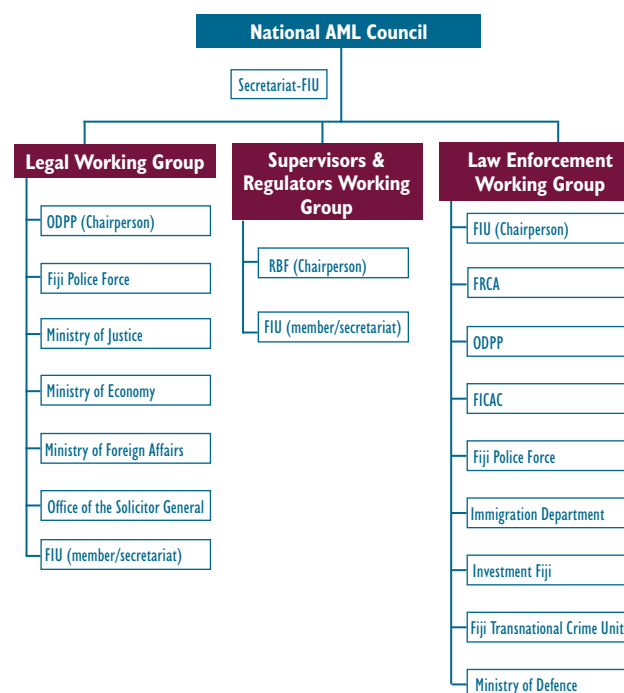
The terms of reference of each Working Group is determined by the Council. The Working Groups provide updates at the National AML Council meetings on its achievements.

## Terms of Reference of AML Working Groups

AML Legal Working Groups	AML Supervisors & Regulators Working Group	AML Law Enforcement Working Group
<ul style="list-style-type: none"> <li>To facilitate the review of relevant legislations to ensure that Fiji has an effective and globally acceptable legislative framework for combating money laundering and other related offences.</li> <li>To facilitate the ratification of relevant international conventions.</li> <li>To administer the forfeiture asset fund.</li> <li>To facilitate matters relating to international assistance and extradition.</li> </ul>	<ul style="list-style-type: none"> <li>To facilitate networking and sharing of information amongst regulators regarding the supervision of financial institutions for compliance with the FTR Act.</li> <li>To conduct joint AML compliance programs.</li> <li>To advise the Council on financial institution's compliance with legislative AML requirements.</li> </ul>	<ul style="list-style-type: none"> <li>To facilitate networking amongst law enforcement agencies to enable:                             <ol style="list-style-type: none"> <li>a) better sharing of information amongst agencies;</li> <li>b) the effective investigation and prosecution of money laundering and other related financial offences; and</li> <li>c) sharing of technical expertise and resources</li> </ol> </li> <li>To advise the Council on issues relating to investigation and prosecution of money laundering and other related offences.</li> </ul>

The members of the Working Groups are representatives from relevant agencies who contribute towards Fiji's AML/CFT initiatives. The chairpersons of the Working Groups are elected by the members of the Working Group. The FIU is a member and provides the secretariat of the three Working Groups.

## National AML Council and Working Groups



## Council's Activities in 2016

The Council met three times during 2016.

## Council Meetings 2012-2016

2012	2013	2014	2015	2016
22 February	4 April	12 March	10 February	9 March
23 May	14 August	25 June	3 June	29 June
4 September	26 November	-	12 October	2 December
20 December	-	-	23 October	-

Source: Fiji FIU

In 2016, the Council was involved in providing oversight over the completion of Fiji's mutual evaluation process which commenced in 2015. The Council was involved during the year in the review of the draft mutual evaluation reports provided by the APG to Fiji as part of the reporting phase of the mutual evaluation. The Director FIU, Director ODPP and senior officers representing members of the Council also attended the APG Plenary Meeting in September 2016 in San Diego, USA where Fiji's mutual evaluation report was discussed and tabled before the APG membership for adoption.

Following the adoption of Fiji's mutual evaluation report at the APG Annual Plenary, the Council discussed and endorsed the formulation of a national strategy to implement the recommendations outlined in the Fiji mutual evaluation report.



The Council also endorsed its new Strategic Plan for 2017-2020 during the year. This Strategic Plan sets out the strategic goals of the Council for this period.

The Council also discussed the impact on Fiji of the FATF's global survey on terrorism financing. As a result the Council endorsed the amendment of existing laws to address the gaps identified by FATF.

Also during the year, the Council endorsed requests from FRCA and the Fiji Police Force for utilisation of funds from the Forfeited Assets Fund to fund identified projects for the respective agencies.

#### Number of Working Group Meetings 2012-2016

Working Group	2012	2013	2014	2015	2016
Legal Working	4	4	7	5	1
Law Enforcement	3	3	4	2	1
Supervisors and Regulators	2	Ad-hoc meeting	Ad-hoc meeting	Ad-hoc meeting	Ad-hoc meeting

Source: Fiji FIU

Key outputs for the Working Groups were:

- appointment of a new chair for the Law Enforcement Working Group;
- review of the draft mutual evaluation report for Fiji and submission of comments on findings;
- discussion on the implementation of the Management and Disposal of Property Regulations.