

MODULE	FC: Financial Crime
CHAPTER	FC-C: Risk Based Approach

FC-C.2 Risk Assessment

FC-C.2.1

An Islamic bank licensee must ensure that it takes measures to identify, assess, monitor, manage and mitigate ML/TF/PF risks to which it is exposed and that the measures taken are commensurate with the nature, scale and complexities of its activities. The risk assessment must enable the licensee to understand how, and to what extent, it is vulnerable to ML/TF/PF.

FC-C.2.2

In the context of the risk assessment, “proliferation financing risk” refers to the potential breach, non-implementation or evasion of the targeted financial sanctions obligations referred to in FATF Recommendation 7.

FC-C.2.3

The risk assessment must be properly documented, regularly updated and communicated to the Islamic bank licensee’s senior management. Licensees must have in place policies, controls and procedures, which are approved by senior management, to enable them to manage and mitigate the risks that have been identified. In conducting its risk assessments, the licensee must consider quantitative and qualitative information obtained from the relevant internal and external sources to identify, manage and mitigate these risks. This **may must** include consideration of the risk and threat assessments using, national risk assessments, sectorial risk assessments, crime statistics, typologies, risk indicators, red flags, guidance and advisories issued by inter-governmental organisations, national competent authorities and the FATF, and AML/CFT/CPF mutual evaluation and follow-up reports by the FATF or associated assessment bodies.

MODULE	FC:	Financial Crime
CHAPTER	FC-8:	NCCT Measures and Terrorist Financing

FC-8.2 Terrorist Financing

FC-8.2.1AA

Islamic bank licensees must implement and comply with United Nations Security Council resolutions relating to the prevention and suppression of terrorism and terrorist financing. Islamic bank licensees must freeze, without delay, the funds or other assets of, and to ensure that no funds or other assets are made available, directly or indirectly, to or for the benefit of, any person or entity either (i) designated by, or under the authority of, the United Nations Security Council under Chapter VII of the Charter of the United Nations, including in accordance with resolution 1267(1999) and its successor resolutions as well as Resolution 2178(2014) or (ii) designated as pursuant to Resolution 1373(2001).

FC-8.2.1

Islamic bank licensees must comply in full with any rules or regulations issued by the CBB in connection with the provisions of the UN Security Council Anti-terrorism Resolution No. 1373 of 2001 ('UNSCR 1373'), including the rules in this Chapter.

FC-8.2.2

[This Paragraph was deleted in January 2018].

FC-8.2.3

A copy of UNSCR 1373 is included in Part B of Volume 2 (Islamic Banks), under 'Supplementary Information'.

FC-8.2.4

Islamic bank licensees must report to the CBB details of:

- (a) Funds or other financial assets or economic resources held with them which may be the subject of Article 1, paragraphs c) and d) of UNSCR 1373; **and**
- (b) All claims, whether actual or contingent, which the Islamic bank licensee has on persons and entities which may be the subject of Article 1, paragraphs c) and d) of UNSCR 1373; **and**
- (c) **Islamic bank licensees must report any assets frozen or actions taken in compliance with the prohibition requirements of the relevant UNSCRs, including attempted transactions.**

FC-8.2.5

For the purposes of Paragraph FC-8.2.4, 'funds or other financial resources' includes (but is not limited to) shares in any undertaking owned or controlled by the persons and entities referred to in Article 1, paragraph c) and d) of UNSCR 1373, and any associated dividends received by the licensee.