



**Circular No 298/2021
Dated 27 July 2021**

To Members of the Malaysian Bar

**Additional Sessions on Data Compliance Report 2021 Clinics
and
Guidance on Proliferation Financing Risk Assessment and Mitigation**

We refer to [Circular No 263/2021](#) entitled “Data Compliance Report 2021 Clinics and White Paper for Public Consultation on Revisions to Recommendation 24” dated 2 July 2021.

We have been informed that Bank Negara Malaysia (“BNM”) is organising additional sessions for the Data and Compliance Report (“DCR”) 2021 Clinics, which are open to all sectors. Click [here](#) for more details.

BNM has also updated the DCR Information Kit based on the questions posed by reporting institutions (“RIs”). Click [here](#) to view the updated DCR information Kit.

The table below is a compilation of commonly asked questions from Members of the Bar and the answers provided by BNM:

No	Questions	Answers From BNM
(1)	My firm has three lawyers carrying out Gazetted Activities. How many DCRs should the firm submit?	Each firm is only required to submit one DCR.
(2)	My law firm provides conveyancing services. One of my clients paid half of the deposit for the Sales and Purchase Agreement (“SPA”) in cash. Should this be considered as a cash transaction for the firm?	Yes, a deposit payment for the purpose of SPA made by client in cash into the client’s account of the firm is considered as a cash transaction.
(3)	My firm provides both legal and company secretarial services. How many DCRs should I submit?	Two sets of DCRs according to business activities.
(4)	I am a lawyer and a notary public. Do I submit a DCR separately or just one under my firm?	Only one DCR.

(5)	Does number of transactions equal to number of files?	No. One client may have several transactions.
(6)	If a file/case is paid in three invoices, are the three tranches of payment considered as 3 transactions or one?	It is considered as three transactions.
(7)	Is withdrawal of cash by the firm for payment of stamp duty on behalf of our clients considered a cash transaction?	Yes.
(8)	Is the full transaction amount to be declared inclusive of Sales and Service Tax (“SST”) paid?	Yes.
(9)	<p>My firm has just started operating in 2021. Am I required to submit the DCR?</p> <p>Previously, my firm only provided litigation services and started to provide conveyancing services (Gazetted Activities) in 2021. Do we still need to fill in the DCR and fill in Declaration Form for Non-Provision of Gazetted Activities for 2020?</p>	<p>Yes, if the firm provides Gazetted Activities, the firm needs to submit the DCR.</p> <p>You may fill in “zero” for information relating to transactions in 2020, especially in Part B, and provide explanation at the end of Part B in the free text column.</p> <p>You are not required to fill in any declaration form for non-provision of Gazetted Activities in 2020.</p>
(10)	Do we need to submit the DCR if our firm has a client’s account but do not hold any monies for our client in the client accounts?	Yes, DCR submission is required as long as your firm provides Gazetted Activities, regardless of whether the firm holds or does not hold clients’ money in the client accounts.
(11)	If the firm has two COs representing different Gazatted Activities undertaken by the firm, should each of the CO submit his/her own DCR or both COs should submit only one DCR for the firm?	If the different Gazetted Activities fall under a single sector (ie lawyer), only one DCR should be submitted by the firm.

(12)	My firm acts for banks in preparation of loan documents. Normally, loans are processed and approved by several different branches. Do I count my clients by the banking group or number of branches that I dealt with?	By the banking group, ie counted as one client.
------	--	---

Members are reminded that the submission of DCR 2021 is **MANDATORY** for all reporting institutions (“RIs”) carrying out gazetted activities (“GAs”).

Members who do not provide any of the listed GAs are required to declare non-provision of GAs through the online portal.

The deadline for the submission of DCR 2021 is **31 Aug 2021 (Tuesday)**.

Should you have any enquiries on the DCR, please contact BNM by telephone at 03-2694 2876 or by email at dcr@bnm.gov.my.

We have been also informed by BNM that the Financial Task Force (“FATF”) has recently revised its Standards (R.1 and INR.1) to require countries, financial institutions, designated non-financial businesses and professions (“DNFBPs”), and virtual asset service providers (“VASPs”) to identify, assess, understand, and mitigate their proliferation financing (“PF”) risks. The FATF Guidance can be accessed at this [link](#).

Click [here](#) view BNM’s newsletter on the above-mentioned matters.

Should you have any enquiries, please contact BNM by telephone at 1-300-88-5465 or by email at fied@bnm.gov.my.

Thank you.

Babu Raj Raja Gopal, Krishna Dallumah and Mohamad Ezri Abdul Wahab
Co-Chairpersons
Committee on AMLA