



**Majlis Peguam
Bar Council Malaysia**

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Please note that registration to join the AMLA Subcommittee is now closed.

**Circular No 286/2019
Dated 26 Dec 2019**

To Members of the Malaysian Bar

**Invitation to Serve on Bar Council Subcommittee on
Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful
Activities Act 2001 for the Term 2019/20**

Lawyers are subjected to Anti-Money Laundering and Counter Financing of Terrorism (“AML/CFT”) requirements whenever they prepare or carry out the following activities for their clients:

- Create, operate or manage legal entities or arrangements (trusts) and buy and sell business entities
- Manage client’s money, securities or other property
- Manage accounts including savings and securities accounts
- Organise contributions for the creation, operation or management of the companies
- Buy and sell immovable property

Lawyers are required to undertake AML/CFT measures as required under Part IV (Reporting Obligations) of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (“AMLA”), its subsidiary instruments and the AML/CFT - Designated Non-Financial Businesses and Professions (“DNFBPs”) and Non-Bank Financial Institutions (Sector 5) Policy Document.

Main AML/CFT preventive measures are as follows:

- Customer due diligence / Know your customer
- Screening on sanctions
- Customer risk profiling
- Submit suspicious transaction report (“STR”)



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Bank Negara Malaysia (“BNM”) has informed the Bar Council that BNM will pursue appropriate **enforcement actions** under the AMLA, for any non-compliance identified.

Sections (AML A)	Types Non-Compliance	Maximum Penalty for Each Offence
13	Record keeping requirement	Fine up to RM 1 million
14	Obligation to report suspicious transactions to BNM	
16	Obligation to conduct customer due diligence	
17	Requirement to retain documents for at least 6 years	Fine up to RM 3 million or jail up to 5 years or both

BNM indicated that it might also publish the names on BNM’s website for non-compliance of AMLA requirements.

Bar Council is of the view that the Bar has to set the standards for AML/CFT compliance for Members of the Bar. Bar Council intends to draw up its own set of regulations to govern the legal profession. Bar Council with the assistance from BNM will also conduct awareness campaign to enhance Members’ understanding on their obligation to comply with AMLA requirements.

We invite Members of the Bar to join the Subcommittee on AMLA in working together with BNM, and taking necessary steps to ensure better understanding and compliance among Members of the Bar.

~~If you are keen to join the Subcommittee, please click here and submit the online form on or before **10 Jan 2020 (Friday)**.~~

Should you have any enquiries, please contact Malathi Mohan, Senior Officer (03-2050 2150), or Raz Ida Nadira Razali, Officer (03-2050 2090), or email lpc@malaysianbar.org.my.

Thank you.

Mohamad Ezri Abdul Wahab and Sarengapani K Rajoo
Co-Chairpersons
AML A Subcommittee of the Legal Profession Committee