

# ANNUAL ANTI-MONEY LAUNDERING REPORT

This activity report relates to 2018

This report must be submitted to:  
FPS Economy - Licence Service (diamond)  
Italiëlei 124 PO box 71  
2000 Antwerp  
of  
Front desk at AWDC  
Hoveniersstraat 22  
2018 Antwerp

Submit at the latest on: **31 March 2019**

Box reserved for the service	
	CONTROLES
	Datering
	Nazicht
	Statistiek

## SECTION I: IDENTIFICATION of the SUBJECTED ENTITY

The undersigned declares to have taken knowledge of the law of 18 September 2017 on the prevention of money laundering and terrorist financing and on the restriction of the use of cash.

Report drawn up on: ..... / ..... / .....

First name + last name: .....

Capacity:  Director / Manager

Anti- money laundering officer (= person responsible for the implementation of the anti-money laundering policy within your company)

E-mail: .....

Company name: .....

Address: .....

Company identification number (= VAT number preceded by 0) :  -  -  -

Registration number:  (See website [www.registereddiamondcompanies.be](http://www.registereddiamondcompanies.be))

**Signature:**

### Indicate YES or NO below

Have one or more of the director(s) and/or manager(s) been replaced or added within your company during the last year?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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If yes, state the name(s) of the director(s) and/or manager(s) who has/have been replaced and/or of the new director(s) and/or manager(s) here and add a copy of the identity card or passport of the new director(s) and/or manager(s):

.....  
.....

Have one or more of the ultimate beneficiaries(*) within your company been replaced or added during the last year?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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If yes, state the name(s) of the ultimate beneficiary(ies) who has/have been replaced and/or of the new ultimate beneficiary(ies) here and add a copy of the identity card or passport of the new ultimate beneficiary(ies):

.....  
.....

(\*) Are considered as 'ultimate beneficiary':

1. Natural persons who own **25%** or more of the shares or voting rights in your company.
2. Natural persons who have control **by any other means**:
  - Who have *the right to appoint or remove a majority* of the members of the administrative, management or supervisory body.
  - Who *control alone*, pursuant to an agreement with other shareholders in or members of that undertaking (a subsidiary undertaking), a *majority of shareholders' or members' voting rights* in that undertaking.
3. Natural person that is a member of the **management** of the company (e.g. CEO) – in case all other means above are exhausted.

Are you a Belgian registered diamond company?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p><b>IF NO:</b>          You were <u>exclusively</u> active last year as (<b>indicate the activity that applies to you</b>):  <input type="checkbox"/> broker <input type="checkbox"/> jeweller <input type="checkbox"/> cutter <input type="checkbox"/> seller of materials  <input type="checkbox"/> other: .....</p> <p><b>In these cases, you do not have to complete the form. You do still have to submit it.</b></p> <p><b>IF YES:</b>          You had commercial transactions in diamonds in the past year<sup>(*)</sup>:  <input type="checkbox"/> YES  <input type="checkbox"/> NO → <b>Only fill in SECTION II (Internal organization) of this report. SECTION III (Vigilance) and further do not have to be completed. You do still have to submit the report.</b></p>	↵	↵

(\*) Commercial transactions in diamonds are sales of diamonds.

## SECTION II: ORGANIZATION and INTERNAL MONITORING

You have an anti-money laundering policy in which you divide your clients into risk categories based on objective criteria, taking into account the nature and size of your company. (The Anti-money Laundering Policy of AWDC can be used for this purpose as well.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You participated to an AML seminar (e.g. one organized by AWDC) last year.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>You have at least two anti-money laundering officers in your company.</p> <p><b>IF YES:</b> Indicate the names of the anti-money laundering officers in your company below and indicate who is the responsible at the highest level to monitor AML compliance, and who is the responsible for the implementation in practice:          .....          .....          .....</p> <p><b>IF NO:</b> Indicate below the reason why not:  <input type="checkbox"/> You have a small company and the director at the highest level is the only anti-money laundering officer.  <input type="checkbox"/> Other: .....          .....</p>	↵	↵

<p>Your company is part of an (international) group.</p> <p><b>IF YES:</b> The associated companies in your group apply similar AML principles as those which you apply.</p> <p><input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b></p>	<p><input type="checkbox"/> <b>YES</b></p> <p>↩</p>	<p><input type="checkbox"/> <b>NO</b></p>
<p>You had employees last year.</p> <p><b>IF YES:</b></p> <ul style="list-style-type: none"> <li>• Number of employees: .....</li> <li>• You have implemented monitoring procedures and take appropriate measures to raise awareness among your employees and/or you regularly communicate information to / organize training for your employees regarding anti-money laundering. <input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b></li> <li>• You organized an in-house AML seminar by AWDC in your company and/or you shared the PowerPoint of the AML seminar within your company. <input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b></li> <li>• Further remarks concerning employees, if any: ..... .....</li> </ul>	<p><input type="checkbox"/> <b>YES</b></p> <p>↩</p>	<p><input type="checkbox"/> <b>NO</b></p>
<p>You keep a copy of this annual anti-money laundering report. (This means: you make a copy of this report before you submit to the FPS Economy, and you keep the copy.)</p>	<p><input type="checkbox"/> <b>YES</b></p>	<p><input type="checkbox"/> <b>NO</b></p>

### SECTION III: VIGILANCE

**NOTE: this section only needs to be completed if you have had commercial transactions in diamonds the past year. If that is not the case, you can stop after having completed SECTION II and submit the report as such.**

#### 1. IDENTIFICATION and VERIFICATION of CLIENTS

When do you have to identify:

- (1) Identification of your clients, their representatives and their ultimate beneficiaries in case of business relationships and for all occasional transactions exceeding 10,000 EUR.
- (2) In other cases whenever there is any doubt regarding the reliability of identification data obtained earlier and in case of suspected money laundering or financing of terrorism.

<p>You had (a) Belgian registered diamond company(ies) as client(s) in the past year?</p> <p><b>IF YES:</b> You use the website <a href="http://www.registereddiamondcompanies.be">www.registereddiamondcompanies.be</a> or the website of the Central Enterprise Databank (Kruispuntbank der Ondernemingen) (<a href="http://economie.fgov.be">http://economie.fgov.be</a>) to identify your clients and you print/save the webpage of the search of the identification data.</p> <p><input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b></p>	<p><input type="checkbox"/> <b>YES</b></p> <p>↩</p>	<p><input type="checkbox"/> <b>NO</b></p>
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<p>You had (a) Belgian unregistered diamond company(ies) as clients in the past year (e.g. private individuals, jewellers...)?</p> <p>IF <b>YES</b> and if your client is a <u>NATURAL</u> person: you ask for a copy of a valid proof of identity with picture.</p> <p><input type="checkbox"/> <b>YES</b>  <input type="checkbox"/> <b>NO</b>  <input type="checkbox"/> <b>N/A</b></p> <p>IF <b>YES</b> and if your client is a <u>COMPANY</u>: you ask for a copy of:</p> <ul style="list-style-type: none"> <li>• the statutes/proof of incorporation of the company;</li> <li>• list of the directors/managers of your client with their names, date and place of birth, if possible also their address;</li> <li>• copy of the identity card of passport of the representative and proof that he can represent the company (e.g. proxy);</li> <li>• names of the ultimate beneficiaries of your client (i.e. you ask who owns 25% or more of the shares or voting rights, or who has control over the company by other means, and, if applicable, you ask for which natural person the transaction is executed of business relationship is concluded, in case a representative represents a natural person. You obtain at least their names, and if possible, also their date and place of birth and their address.)</li> </ul> <p><input type="checkbox"/> <b>YES</b>  <input type="checkbox"/> <b>NO</b>  <input type="checkbox"/> <b>N/A</b></p>	<p><input type="checkbox"/> <b>YES</b></p> <p>↵</p> <p>↵</p>	<p><input type="checkbox"/> <b>NO</b></p>
<p>You had (a) foreign client(s) in the past year?</p> <p>IF <b>YES</b> and if your client is a <u>NATURAL</u> person: you ask for a copy of a valid proof of identity with picture.</p> <p><input type="checkbox"/> <b>YES</b>  <input type="checkbox"/> <b>NO</b>  <input type="checkbox"/> <b>N/A</b></p> <p>IF <b>YES</b> and if your client is a <u>COMPANY</u>: you ask for a copy of:</p> <ul style="list-style-type: none"> <li>• the statutes/proof of incorporation of the company;</li> <li>• list of the directors/managers of your client with their names, date and place of birth, if possible also their address;</li> <li>• copy of the identity card of passport of the representative and proof that he can represent the company (e.g. proxy);</li> <li>• names of the ultimate beneficiaries of your client (i.e. you ask who owns 25% or more of the shares or voting rights, or who has control over the company by other means, and, if applicable, you ask for which natural person the transaction is executed of business relationship is concluded, in case a representative represents a natural person. You obtain at least their names, and if possible, also their date and place of birth and their address.)</li> </ul> <p><input type="checkbox"/> <b>YES</b>  <input type="checkbox"/> <b>NO</b>  <input type="checkbox"/> <b>N/A</b></p> <p>IF <b>YES</b>: you make use of Bureau Van Dijk or similar information sources to verify the information provided by your client and to screen your client.</p> <p><input type="checkbox"/> <b>YES</b>  <input type="checkbox"/> <b>NO</b></p>	<p><input type="checkbox"/> <b>YES</b></p> <p>↵</p> <p>↵</p> <p>↵</p>	<p><input type="checkbox"/> <b>NO</b></p>

You identify your client and verify his identification details before concluding the business relationship or executing the occasional transaction.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You paid diamond transactions in cash to suppliers last year or received cash payments from clients (or payments through other means than through bank transfers).  IF YES: <input type="checkbox"/> You paid in cash. <input type="checkbox"/> You received in cash.  IF YES: You have respected the cash limit of 3,000 EUR. <input type="checkbox"/> YES <input type="checkbox"/> NO → <input type="checkbox"/> You were abroad where a different cash limit applied. <input type="checkbox"/> Other: .....	<input type="checkbox"/> YES  ↵  ↵	<input type="checkbox"/> NO
You experienced difficulties to identify your clients, their representatives or their ultimate beneficiaries during the last year (e.g. clients who do not want to provide you of their identification details).	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You make use of a third party intermediary (a person outside of your company, e.g. your accountant or your bank) who does the identification and verification of your client for you.  IF YES: Specify: ..... .....	<input type="checkbox"/> YES  ↵	<input type="checkbox"/> NO

## 2. ASSESSMENT of the SPECIFICS of the CLIENT, NATURE and GOAL of the BUSINESS RELATIONSHIP/TRANSACTION

You have gathered sufficient information about your client to be able to assess who your client is and the reasons why he wants to do business with you.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You make use of the client acceptance policy to make an assessment of the risk level of your client and how you should respond to that.	<input type="checkbox"/> YES	<input type="checkbox"/> NO

## 3. CONSTANT VIGILANCE

During the business relationship or when executing occasional transactions, you remain vigilant for possible risk indicators related to the client or to the transaction.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You notified suspicions of money laundering or of financing of terrorism, atypical transactions and/or problematic situations to the CFI (Belgian Financial Intelligence Unit) or to the SPOC at AWDC, during the past year.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You copy and save all identification details during 10 years after the termination of the business relationship and keep them available to the competent authorities.	<input type="checkbox"/> YES	<input type="checkbox"/> NO

You update all identification details, the timing of which depends on the risk level of the business relationship with your client.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You keep a report of all atypical transactions and problematic cases.	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> N/A

#### 4. ENHANCED VIGILANCE

<p>During the past year, you traded with a politically exposed person. (“Politically exposed persons” cover: natural people who are or have been entrusted with a prominent public function, immediate family members of such a person (spouse, parents, children), close associates of such a person.)</p> <p>IF <b>YES</b>: You took into account the following vigilance measures:</p> <ul style="list-style-type: none"> <li>• You obtained permission of the senior management staff in your company to conclude the business relationship and/or carry out the transaction;</li> <li>• You took appropriate measures to determine the source of the funds used;</li> <li>• You performed enhanced supervision of the transaction.</li> </ul> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You traded with clients located in a high-risk third country. (High-risk third countries are to be understood as countries outside of the EU, where there exists an increased risk of money laundering, financing of terrorism or corruption, as there is no adequate legal framework into place in these countries.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
You traded with clients located in a country without taxes or with a low taxation level (tax havens).	<input type="checkbox"/> YES	<input type="checkbox"/> NO

#### SECTION IV: SYSTEM of WARRANTIES

<p>You use the new World Diamond Council warranty on your invoices:  <i>“The diamonds herein invoiced have been {sourced}* purchased from legitimate sources not involved in funding conflict, in compliance with United Nations Resolutions and corresponding national laws {where the invoice is generated}**. The seller hereby guarantees that these diamonds are conflict free and confirms adherence to the WDC SoW Guidelines.”</i></p> <p>*{sourced} - May be used by companies that do not purchase from open market, but source and aggregate diamonds from production facilities that are owned/partly owned by them.</p> <p>**{where the invoice is generated} – May be used by companies if they specifically want to reference the country of invoice issuance.</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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Remarks:

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