

POLICY ON
“KNOW YOUR CUSTOMER” STANDARDS
&
“ANTI MONEY LAUNDERING” MEASURES



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Section 1: Overview

1.1. Introduction

- 1.1.1 The Directives as outlined below provide a general background and summary of the main provisions of the applicable anti-money laundering and anti-terrorist financing legislations in India. They also provide guidance on the practical implications of the Prevention of Money Laundering Act, 2002 (PMLA). The Directives also set out, the steps that a registered intermediary including a stock broking company or its representatives shall implement to discourage and to identify any money laundering or terrorist financing activities. The relevance and usefulness of these Directives will be kept under review for necessary amendments, from time to time.
- 1.1.2 These Directives are intended for use primarily by intermediaries registered under Section 12 of the Securities and Exchange Board of India Act, 1992 (SEBI Act). While it is recognized that a “one- size-fits-all” approach may not be appropriate for the securities industry in India, each registered intermediary shall consider the specific nature of its business, organizational structure, type of clients and transactions, etc. when implementing the suggested measures and procedures to ensure that they are effectively applied. The overriding principle is that they shall be able to satisfy themselves that the measures taken by them are adequate, appropriate and abide by the spirit of such measures and the requirements as enshrined in the PMLA.

1.2. Background

- 1.2.1 The PMLA came into effect from 1st July 2005. Necessary Notifications / Rules under the said Act were published in the Gazette of India on 1st July 2005 by the Department of Revenue, Ministry of Finance, Government of India. The PMLA has been further amended vide notification dated March 6, 2009 and inter alia provides that violating the prohibitions on manipulative and deceptive devices, insider trading and substantial acquisition of securities or control as prescribed in Section 12 A read with Section 24 of the Securities and Exchange Board of India Act, 1992 (SEBI Act) will now be treated as a scheduled offence under Schedule B of the PMLA.
- 1.2.2 As per the provisions of the PMLA, every banking company, financial institution (which includes chit fund company, a co-operative bank, a housing finance institution and a non-banking financial company) and intermediary (which includes a stock-broker, sub-broker, share transfer agent, banker to an issue, trustee to a trust deed, registrar to an issue, merchant banker, underwriter, Portfolio manager, investment adviser and any other intermediary associated with securities market and registered under Section 12 of the SEBI Act, shall have to maintain a record of all the transactions; the nature and value of which has been prescribed in the Rules under the PMLA. Such transactions include;

- i. All cash transactions of the value of more than 10 lakh or its equivalent in foreign currency.
- ii. All series of cash transactions integrally connected to each other which have been valued below 10 lakh or its equivalent in foreign currency where such series of transactions have taken place within a month and the monthly aggregate exceeds an amount of ten lakh rupees or its equivalent in foreign currency.
- iii. All suspicious transactions whether or not made in cash and including, inter alia, credits or debits into from any non-monetary account such as demat account, security account maintained by the registered intermediary.

1.2.3 It may, however, be clarified that for the purpose of suspicious transactions reporting, apart from ‘transactions integrally connected’, ‘transactions remotely connected or related’ shall also be considered. In case there is a variance in CDD/AML standards prescribed by SEBI and the regulators of the host country, branches/overseas subsidiaries of intermediaries are required to adopt the more stringent requirements of the two.

1.3. Policies and Procedures to Combat Money Laundering and Terrorist financing.

1.3.1 Essential Principles:

1.3.1.1 These Directives have taken into account, the requirements of the PMLA as applicable to the intermediaries registered under Section 12 of the SEBI Act. The detailed Directives in Section II have outlined relevant measures and procedures to guide the registered intermediaries in preventing ML and TF. Some of these suggested measures and procedures may not be applicable in every circumstance. Each intermediary shall consider carefully the specific nature of its business, organizational structure, type of client and transaction, etc. to satisfy itself that the measures taken by it are adequate and appropriate and follow the spirit of the suggested measures in Section II and the requirements as laid down in the PMLA.

1.3.2 Obligation To Establish Policies And Procedures:

1.3.2.1 Global measures taken to combat drug trafficking, terrorism and other organized and serious crimes have all emphasized the need for financial institutions, including securities market intermediaries, to establish internal procedures that effectively serve to prevent and impede money laundering and terrorist financing. The PMLA is in line with these measures and mandates that all intermediaries ensure the fulfillment of the obligations.

As per the directives of SEBI, PATERSON SECURITIES PVT. LTD (PSEC), has put in place a policy framework, which incorporates salient aspects of the measures and obligations of a stockbroker company under the Prevention of Money Laundering Act, 2002. This policy document is based on the provisions of the PMLA Act, 2002, SEBI

Guidelines / Circulars and policy framework recommended by CDSL and Exchange(s) Circulars but amended at places to suit specific requirements of PSEC, within the meaning of the Act, Guidelines and Circulars.

1.3.2.2 To be in compliance with these obligations, the senior management of PSEC shall be fully committed to establishing appropriate policies and procedures for the prevention of ML and TF and ensuring their effectiveness and compliance with all relevant legal and regulatory requirements. PSEC shall:

- a) issue a statement of policies and procedures, on a group basis where applicable, for dealing with ML and TF reflecting the current statutory and regulatory requirements
- b) ensure that the content of these Directives are understood by all staff members.
- c) regularly review the policies and procedures on the prevention of ML and TF to ensure their effectiveness. Further, in order to ensure the effectiveness of policies and procedures, the person doing such a review shall be different from the one who has framed such policies and procedures
- d) adopt Client Acceptance Policies (“CAP”) and procedures which are sensitive to the risk of ML and TF
- e) undertake Client Due Diligence (“CDD”) measures to an extent that is sensitive to the risk of ML and TF depending on the type of client, business relationship or transaction
- f) have in system a place for identifying, monitoring and reporting suspected ML or TF transactions to the law enforcement authorities; and
- g) develop staff members’ awareness and vigilance to guard against ML and TF

1.3.2.3 Policies and procedures to combat ML shall cover:

- a) Communication of group policies relating to prevention of ML and TF to all management and relevant staff that handle account information, securities transactions, money and client records etc. whether in branches, departments or subsidiaries;
- b) Client Acceptance Policy and Client Due Diligence measures, including requirements for proper identification;
- c) Maintenance of records;
- d) Compliance with relevant statutory and regulatory requirements;

- e) Co-operation with the relevant law enforcement authorities, including the timely disclosure of information; and
- f) Role of internal audit or compliance function to ensure compliance with the policies, procedures, and controls relating to the prevention of ML and TF, including the testing of the system for detecting suspected money laundering transactions, evaluating and checking the adequacy of exception reports generated on large and/or irregular transactions, the quality of reporting of suspicious transactions and the level of awareness of front line staff, of their responsibilities in this regard. The internal audit function shall be independent, adequately resourced and commensurate with the size of the business and operations, organization structure, number of clients and other such factors

Section 2: Detailed Directives

2.1 Written Anti Money Laundering Procedures

2.1.1 PSEC shall adopt written procedures to implement the Anti- Money Laundering provisions as envisaged under the PMLA. Such procedures shall include inter alia, the following three specific parameters which are related to the overall ‘Client Due Diligence Process’:

- a) Policy for acceptance of Clients,
- b) Procedure for identifying the Clients,
- c) Risk management,
- d) Transaction monitoring and reporting especially Suspicious Transactions Reporting (STR).

2.2 Client Due Diligence (CDD)

2.2.1 The CDD measures comprise the following:

- I. Obtaining sufficient information in order to identify persons who beneficially own or control the securities account. Whenever it is apparent that the securities acquired or maintained through an account are beneficially owned by a party other than the client, that party shall be identified using client identification and verification procedures. The beneficial owner is the natural person or persons who ultimately own, control or influence a client and/or person on whose behalf a transaction is being conducted. It also incorporates those persons who exercise ultimate effective control over a legal person or arrangement.
- II. Verify the client’s identity using reliable, independent source documents, data or information
- III. Identify beneficial ownership and control, i.e. determine which individual(s) ultimately own(s) or control(s) the client and/or the person on whose behalf a transaction is being conducted -
 - a) **For clients other than Individuals and Trust**, viz., Company, Partnership, or un-incorporated association/body of individuals, PSEC should identify the beneficial owners of the client and take reasonable measures to verify the identity of the person through following information:
 - aa) The identity of the natural person, who, whether acting alone or together, or through one or more juridical person, exercises control through ownership or who ultimately has a controlling ownership interest. *SEBI master circular no SEBI/HO/MIRSD/MIRSDSECFATF/P/CIR/2023/091 date June 16, 2023 has amended*

Explanation: **Controlling ownership interest means ownership of/entitlement to:**

1. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
 2. the identity of the Beneficial person/natural person who is acting alone or together or through one or more juridical person, exercises control through ownership or who ultimately has a controlling ownership interest of more than 10% of shares or capital or profits of the juridical person, where juridical person is a Company.
 3. 10% of shares / property or capital or profits of the juridical person, where juridical person is a partnership firm.
 4. 15% of shares / property or capital or profits of the juridical person, where juridical person is a Unincorporated association or body of individuals.
- bb) In cases where there exists doubt under clause (aa) above as to whether the person with the controlling ownership interest is the beneficial owner or where no natural person exerts control through ownership interests, the identity of the natural person exercising control over the juridical person through other means;

Explanation Control can be exercised through

voting rights, agreement, arrangements or any other manner. Where no natural person identified in the aforesaid paras the identity of relevant natural person who holds the position of senior managing official shall be considered as beneficiary.

- cc) Where no natural person is identified under clauses (aa) or (bb) above, the identity of the relevant natural person who holds the position of senior managing official.

SEBI Circular dated 13 October 2023 has amended UBO guidelines as per following:

For client which is Company & Partnership” in the Explanation, in clause (3) & (4), for the numbers and symbol “25%” & “15%”, the numbers and symbol “10%” shall be substituted respectively.

b In case of Trust

Beneficial owner or the natural person could be the author of the trust, the trustee, the protector or the beneficiaries with more than 10% interest and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership. Such indemnification of beneficiary is not mandatory in case of listed companies or majority owned subsidiary of such Company and in case of foreign investors)

PSEC should be guided by SEBI Master Circular SEBI/HO/AFD-2/CIR/P/2022/175 dated December 19, 2022 and such amendments thereto from time to time for identification of beneficial ownership of the Client or foreign investors Internal Auditors of PSEC shall monitor compliance of aforementioned provision on identification of beneficial ownership through half yearly audits.

- i. Verify the identity of the beneficial owner of the client and/or the person on whose behalf a transaction is being conducted, corroborating the information provided in relation to and understand the ownership and control structure of the client.
- ii. Conduct ongoing due diligence and scrutiny of the account/client to ensure that transaction conducted are consistent with the client's background/financial status, its activities and risk profile. Every year the financial statements to be taken on record for all corporate clients.
- iii. PSEC shall review the due diligence measures including verifying again the identity of the client and obtaining information on the purpose and intended nature of the business relationship, as the case may be, when there are suspicions of money laundering or financing of the activities relating to terrorism or where there doubt the adequacy or veracity of previously obtained client identification data, and
- iv. PSEC shall periodically update all documents, data or information of all clients and beneficial owners collected under the CDD process such that the information or data collected under client due diligence is kept up-to-date and relevant, particularly for high risk clients.
- v. No transaction or account-based relationship shall be undertaken without following the CDD procedure.”
- vi. Every registered intermediary shall register the details of a client, in case of client being a nonprofit organisation, on the DARPAN Portal of NITI Aayog, if not already registered, and maintain such registration records for a period of Eight years after the business relationship between a client and the registered intermediary has ended or the account has been closed, whichever is later
- vii. Where PSEC is suspicious that transactions relate to money laundering or terrorist financing, and reasonably believes that performing the CDD process will tip-off the client, PSEC shall not pursue the CDD process, and shall instead file a STR with FIU-IND.”
- viii. Though it is not possible to know all the details and exact details of the client's background and financial status, it should be our endeavor to make a genuine attempt towards achieving this.

bb) In cases where there exists doubt under clause (aa) above as to whether the person with the controlling ownership interest is the beneficial owner or where no natural person exerts control through ownership interests, the identity of the natural person exercising control over the juridical person through other means.

Explanation: Control through other means can be exercised through voting rights, agreement, arrangements or in any other manner.

cc) Where no natural person is identified under clauses (aa) or (bb) above, the identity of the relevant natural person who holds the position of senior managing official.

i. Exemption in case of listed companies: Where the client or the owner of the controlling interest is a company listed on a stock exchange or is a majority owned subsidiary of such a company, it is not necessary to identify and verify the identity of any shareholder or beneficial owner of such companies.

ii. Applicability for foreign investors: Intermediaries dealing with foreign investors' may be guided by the clarifications issued vide SEBI circulars CIR/MIRSD/11/2012 dated September 5, 2012 and CIR/ MIRSD/ 07/ 2013 dated September 12, 2013, for the purpose of identification of beneficial ownership of the client.

- a. Verify the identity of the beneficial owner of the client and/or the person on whose behalf a transaction is being conducted, corroborating the information provided in relation to (c).
- b. Understand the ownership and control structure of the Client.
- c. Conduct ongoing due diligence and scrutiny, i.e. Perform ongoing scrutiny of the transactions and account throughout the course of the business relationship to ensure that the transactions being conducted are consistent with the PSEC's knowledge of the Client, its business and risk profile, taking into account, where necessary, the Client's source of funds; and
- d. Registered intermediaries shall periodically update all documents, data or information of all clients and beneficial owners collected under the CDD process.

2.2.2 Policy for Acceptance of Clients:

2.2.2.1 PSEC's Client acceptance policies and procedures aim to identify the types of Clients that are likely to pose a higher-than-average risk of ML or TF. By establishing such policies and procedures, the company will be in a better position to apply Client Due Diligence on a risk sensitive basis depending on the type of client business relationship or transaction. In a nutshell, the following safeguards are to be followed while accepting the clients:

- a) No account is opened in a fictitious / benami name or on an anonymous basis.
- b) Factors of risk perception (in terms of monitoring suspicious transactions) of the client are clearly defined having regard to clients' location (registered office address, correspondence addresses, and other addresses if applicable), nature of business activity, trading turnover etc. and manner of making payment for transactions undertaken. The parameters shall enable classification of clients into low, medium and high risk. Clients of special category (as given below) may, if necessary, be classified even higher. Such clients require a higher degree of due diligence and regular update of the Know Your Client (KYC) profile.
- c) Documentation requirements and other information to be collected in respect of different classes of clients depending on the perceived risk and having regard to the requirements of Rule 9 of the PML Rules, Directives and Circulars issued by SEBI from time to time.
- d) Ensure that an account is not opened where the intermediary is unable to apply appropriate CDD measures/ KYC policies. This shall apply in cases where it is not possible to ascertain the identity of the client or the information provided to PSEC is suspected to be non - genuine, or there is perceived non - cooperation of the client in providing full and complete information. PSEC shall not continue to do business with such a person and file a suspicious activity report. The company shall also evaluate whether there is suspicious trading in determining whether to freeze or close the account. PSEC shall be cautious to ensure that it does not return securities or money that may be from suspicious trades. However, PSEC shall consult the relevant authorities in determining what action it shall take when it suspects suspicious trading.
- e) The circumstances under which the Client is permitted to act on behalf of another person / entity shall be clearly laid down. It shall be specified in what manner the account shall be operated, transaction limits for the operation, additional authority required for transactions exceeding a specified quantity/value and other appropriate details. Further the rights and responsibilities of both the persons i.e. the agent- client registered with PSEC, as well as the person on whose behalf the

agent is acting shall be clearly laid down. Adequate verification of a person's authority to act on behalf of the client will also be carried out.

- f) Necessary checks and balance to be put into place before opening an account so as to ensure that the identity of the client does not match with any person having known criminal background or is not banned in any other manner, whether in terms of criminal or civil proceedings by any enforcement agency worldwide
- g) The CDD process shall necessarily be revisited when there are suspicions of money laundering or financing of terrorism (ML/FT).

2.2.3 Risk-based Approach:

2.2.3.1 It is generally recognized that certain clients may be of a higher or lower risk category depending on the circumstances such as the client's background, type of business relationship or transaction etc. As such, PSEC shall apply each of the CDD measures on a risk sensitive basis. The basic principle enshrined in this approach is that PSEC shall adopt an enhanced CDD process for higher risk categories of clients. Conversely, a simplified client due diligence process may be adopted for lower risk categories of clients. In line with the risk-based approach, the type and amount of identification information and documents that PSEC shall obtain necessarily depend on the risk category of a particular client.

2.2.3.2 Further, low risk provisions shall not apply when there are suspicions of ML/FT or when other factors give rise to a belief that the customer does not in fact pose a low risk.

2.2.3.3 Risk Assessment

- a) PSEC shall carry out risk assessment to identify, assess and take effective measures to mitigate its money laundering and terrorist financing risk with respect to its clients, countries or geographical areas, nature and volume of transactions, payment methods used by clients, etc. The risk assessment shall also take into account any country specific information that is circulated by the Government of India and SEBI from time to time, as well as the updated list of individuals and entities who are subjected to sanction measures as required under the various United Nations' Security Council Resolutions (these can be accessed at the URL - http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml and <http://www.un.org/sc/committees/1988/list.shtml>)
- b) The risk assessment carried out shall consider all the relevant risk factors before determining the level of overall risk and the appropriate level and type of mitigation to be applied. The assessment shall be documented, updated regularly and made available to competent authorities and self-regulating bodies, as and when required.

2.2.4 Clients of special category (CSC): Such clients shall include the following:

- a) Non - Resident Clients
- b) High Net Worth clients,
- c) Trust, Charities, Non-Governmental Organizations (NGOs) and organizations receiving donations.
- d) Companies having close family shareholdings or beneficial ownership.
- e) Politically Exposed Persons (PEP) are individuals who are or have been entrusted with prominent public functions in a foreign country, e.g, Heads of States or of Governments, senior politicians, senior government/judicial/military officers, senior executives of state-owned corporations, important political party officials, etc. The additional norms applicable to PEP as contained in the subsequent para 2.2.5 of this circular shall also be applied to the accounts of the family members or close relatives of PEPs.
- f) Companies offering foreign exchange offerings.
- g) Clients in high-risk countries. While dealing with clients from or situate in high risk countries or geographic areas or when providing delivery of services to clients through high risk countries or geographic areas i.e. places where existence or effectiveness of action against money laundering or terror financing is suspected, PSEC apart from being guided by the Financial Action task Force (FATF) statements that inter alia identify such countries or geographic areas that do not or insufficiently apply the FATF Recommendations, published by the FATF on its website (www.fatf-gafi.org) from time to time, shall also independently access and consider other publicly available information along with any other information which they may have access to.

However, this shall not preclude PSEC from entering into legitimate transactions with clients from or situate in such high-risk countries and geographic areas or delivery of services through such high-risk countries or geographic areas.

- h) Non face to face clients
- i) Clients with dubious reputation as per public information available etc.

2.2.4 **Client Identification Procedure:**

2.2.4.1 The KYC policy shall clearly spell out the client identification procedure to be carried out at different stages i.e. while establishing the intermediary – client relationship, while carrying out transactions for the client or when the PSEC has doubts regarding the veracity or the adequacy of previously obtained client identification data.

PSEC shall be in compliance with the following requirements while putting in place a Client Identification Procedure (CIP):

- a) PSEC shall have a risk management system to determine whether the Client or potential client or the beneficial owner of such client is a politically exposed person. Such procedures shall include seeking relevant information from the client, referring to publicly available information or accessing the commercial electronic databases of PEP's. Further, the enhanced CDD measures as outlined in clause 2.2.5 shall also be applicable where the beneficial owner of a client is a PEP.
- b) PSEC shall obtain senior management approval for establishing business relationships with PEPs. Where a client has been accepted and the client or beneficial owner is subsequently found to be or subsequently becomes a PEP, PSEC shall obtain senior management approval to continue the business relationship.
- c) PSEC shall also take reasonable measures to verify the sources of funds as well as the wealth of clients and beneficial owners identified as PEP.
- d) The Client shall be identified by PSEC by using reliable sources including documents / information. PSEC shall obtain adequate information to satisfactorily establish the identity of each new client and the purpose of the intended nature of the relationship.
- e) The information must be adequate to satisfy competent authorities (regulatory / enforcement authorities) in future that due diligence was observed by PSEC, in compliance with the directives. Each original document shall be seen prior to acceptance of a copy.
- f) Failure by prospective clients to provide satisfactory evidence of identity shall be noted and reported to the higher authority within PSEC.

2.2.4.2 SEBI has prescribed the minimum requirements relating to KYC for certain classes of registered intermediaries from time to time. Taking into account the basic principles enshrined in the KYC norms which have already been prescribed or which may be prescribed by SEBI from time to time, PSEC shall frame our own internal directives based

on our experience in dealing with our clients and legal requirements as per the established practices.

2.2.4.3 Further, PSEC shall conduct ongoing due diligence where it notices inconsistencies in the information provided. The underlying objective shall be to follow the requirements enshrined in the PMLA, SEBI Act and Regulations, directives and circulars issued thereunder so that PSEC is aware of the clients on whose behalf it is dealing.

2.2.4.4 PSEC shall formulate and implement a CIP which shall incorporate the requirements of the PML Rules Notification No. 9/2005 dated July 01, 2005(as amended from time to time), which notifies rules for maintenance of records of the nature and value of transactions, the procedure and manner of maintaining and time for furnishing of information and verification of records of the identity of the clients of the banking companies, financial institutions and intermediaries of securities market and such other additional requirements that it considers appropriate to enable it to determine the true identity of its clients.

2.2.5 Reliance on third party for carrying out Client Due Diligence (CDD)

2.25.1 PSEC may rely on a third party for the purpose of

- a) Identification and verification of the identity of a client and
 - b) Determination of whether the client is acting on behalf of a beneficial owner, identification of the beneficial owner and verification of the identity of the beneficial owner. Such third party shall be regulated, supervised or monitored for, and have measures in place for compliance with CDD and record-keeping requirements, in line with the obligations under the PML Act.
- 2.2.5.2 Such reliance shall be subject to the conditions that are specified in Rule 9 (2) of the PML Rules and shall be in accordance with the regulations and circulars/ guidelines issued by SEBI from time to time. Further, it is clarified that PSEC shall be ultimately responsible for CDD and undertaking enhanced due diligence measures, as applicable.

2.3 Record Keeping

2.3.1 PSEC shall ensure compliance with the record keeping requirements contained in the SEBI Act, 1992, Rules and Regulations made there under, PMLA as well as other relevant legislation, Rules, Regulations, Exchange Byelaws and Circulars.

2.3.2 PSEC shall maintain such records as are sufficient to permit reconstruction of individual transactions (including the amounts and types of currencies involved, if any) so as to provide, if necessary, evidence for prosecution of criminal behavior.

2.3.3 Should there be any suspected drug related or other laundered money or terrorist property, the competent investigating authorities would need to trace through the audit trail for reconstructing a financial profile of the suspect account. To enable this reconstruction, PSEC shall retain the following information for the accounts of their clients in order to maintain a satisfactory audit trail:

- a) the beneficial owner of the account.
- b) the volume of the funds flowing through the account; and
- c) for selected transactions:
 - i. the origin of the funds
 - ii. the form in which the funds were offered or withdrawn, e.g. cheques, demand drafts etc.
 - iii. the identity of the person undertaking the transaction;
 - iv. the destination of the funds;
 - v. the form of instruction and authority.

2.3.4 PSEC shall ensure that all client and transaction records and information are available on a timely basis to the competent investigating authorities. Where required by the investigating authority, they shall retain certain records, e.g. client identification, account files, and business correspondence, for periods which may exceed those required under the SEBI Act, Rules and Regulations framed there under PMLA, other relevant legislations, Rules and Regulations or Exchange byelaws or circulars.

2.3.5 More specifically, PSEC shall put in place a system of maintaining proper record of transactions prescribed under Rule 3 of PML Rules as mentioned below:

- a) all cash transactions of the value of more than ten lakh rupees or its equivalent in foreign currency.
- b) all series of cash transactions integrally connected to each other which have been individually valued below rupees ten lakh or its equivalent in foreign currency where such series of transactions have taken place within a month and the monthly aggregate exceeds an amount of ten lakh rupees or its equivalent in foreign currency.
- c) all cash transactions where forged or counterfeit currency notes or bank notes have been used as genuine or where any forgery of a valuable security or a document has taken place facilitating the transactions.
- d) all suspicious transactions whether or not made in cash and by way of as mentioned in the Rules.

2.4 Information to be maintained.

2.4.1 PSEC shall maintain and preserve the following information in respect of transactions referred to in Rule 3 of PML Rules:

- a) the nature of the transactions.
- b) the amount of the transaction and the currency in which it is denominated.
- c) the date on which the transaction was conducted; and
- d) the parties to the transaction.

2.5 Retention of Records

2.5.1 PSEC shall take appropriate steps to evolve an internal mechanism for proper maintenance and preservation of such records and information in a manner that allows easy and quick retrieval of data as and when requested by the competent authorities. Further, the records mentioned in Rule 3 of PML Rules shall be maintained and preserved for a period of Eight years from the date of transactions between the client and intermediary.

2.5.2 As stated in sub-section 2.2.5, PSEC will formulate and implement the CIP containing the requirements as laid down in Rule 9 of the PML Rules and such other additional requirements that it considers appropriate. Records evidencing the identity of its clients and beneficial owners as well as account files and business correspondence shall be maintained and preserved for a period of Eight years after the business relationship between a client and intermediary has ended or the account has been closed, whichever is later.

2.5.3 Thus, the following document retention terms shall be observed:

- a) All necessary records on transactions, both domestic and international, shall be maintained at least for the minimum period prescribed under the relevant Act and Rules (PMLA and rules framed there under as well SEBI Act) and other legislations, Regulations or exchange bye-laws or circulars.
- b) PSEC shall maintain and preserve the records of documents evidencing the identity of its clients and beneficial owners (e.g. copies or records of official identification documents like passports, identity cards, driving licenses or similar documents) as well as account files and business correspondence for a period of eight years after the business relationship between a client and intermediary has ended or the account has been closed, whichever is later.

- 2.5.4 In situations where the records relate to on-going investigations or transactions which have been the subject of a suspicious transaction reporting, they shall be retained until it is confirmed that the case has been closed.
- 2.5.5 Records of information reported to the Director, Financial Intelligence Unit – India (FIU-IND): Registered Intermediaries shall maintain and preserve the records of information related to transactions, whether attempted or executed, which are reported to the Director, FIU – IND, as required under Rules 7 and 8 of the PML Rules, for a period of five years from the date of the transaction between the client and the intermediary.

2.6 Monitoring Of Transactions

- 2.6.1 Regular monitoring of transactions is vital for ensuring effectiveness of the AML procedures. This is possible only if the company has an understanding of the normal activity of the client so that it can identify deviations in transactions / activities.
- 2.6.2 PSEC shall pay special attention to all complex unusually large transactions / patterns which appear to have no economic purpose. The intermediary may specify internal threshold limits for each class of client accounts and pay special attention to transactions which exceed these limits. The background including all documents/office records/memorandums/clarifications sought pertaining to such transactions and purpose thereof shall also be examined carefully and findings shall be recorded in writing. Further such findings, records and related documents should be made available to auditors and also to SEBI/Stock Exchanges/FIUIND/ other relevant Authorities, during audit, inspection or as and when required. These records shall be maintained and preserved for a period of five years from the date of transaction between the client and intermediary.
- 2.6.3 PSEC shall ensure a record of the transactions is preserved and maintained in terms of Section 12 of the PMLA and those transactions of a suspicious nature or any other transactions notified under Section 12 of the Act are reported to the Director, FIU-IND. Suspicious transactions shall also be regularly reported to the higher authorities within the intermediary.
- 2.6.4 Further, the Compliance cell PSEC shall randomly examine a selection of transactions undertaken by clients to comment on their nature i.e. whether they are in the nature of suspicious transactions or not.

2.7 Suspicious Transaction Monitoring and Reporting

- 2.7.1 PSEC shall ensure that appropriate steps are taken to enable suspicious transactions to be recognized and have appropriate procedures for reporting suspicious transactions. While determining suspicious transactions, PSEC shall be guided by the definition of a suspicious transaction contained in PML Rules as amended from time to time.

2.7.2 A list of circumstances which may be in the nature of suspicious transactions is given below. This list is only illustrative and whether a particular transaction is suspicious or not will depend upon the background, details of the transactions and other facts and circumstances:

- a) Clients whose identity verification seems difficult or clients that appear not to cooperate.
- b) Asset management services for clients where the source of the funds is not clear or not in keeping with clients' apparent standing /business activity.
- c) Clients based in high-risk jurisdictions.
- d) Substantial increases in business without apparent cause.
- e) Clients transferring large sums of money to or from overseas locations with instructions for payment in cash;
- f) Attempted transfer of investment proceeds to apparently unrelated third parties;
- g) Unusual transactions by CSCs and businesses undertaken by offshore banks/financial services, businesses reported to be in the nature of export- import of small items.

2.7.3 Any suspicious transaction shall be immediately notified to the Designated/Principal Officer within PSEC. The notification may be done in the form of a detailed report with specific reference to the clients, transactions and the nature /reason of suspicion. However, it shall be ensured that there is continuity in dealing with the client as normal until told otherwise and the client shall not be told of the report/ suspicion. In exceptional circumstances, consent may not be given to continue to operate the account, and transactions may be suspended, in one or more jurisdictions concerned in the transaction or other action taken. The Principal Officer/ Money Laundering Control Officer and other appropriate compliance, risk management and related staff members shall have timely access to client identification data and CDD information, transaction records and other relevant information.

2.7.4 It is likely that in some cases transactions are abandoned or aborted by clients on being asked to give some details or to provide documents. It is clarified that PSEC shall report all such attempted transactions in STRs, even if not completed by clients, irrespective of the amount of the transaction.

2.7.5 Clause 2.2.4 (g) of this Master Circular categorizes clients of high-risk countries, including countries where existence and effectiveness of money laundering controls is suspect or which do not or insufficiently apply FATF standards, as 'CSC'. Intermediaries are directed that such clients shall also be subject to appropriate counter measures. These measures may include a further enhanced scrutiny of transactions, enhance relevant reporting mechanisms or systematic reporting of financial transactions, and applying enhanced due diligence while expanding business relationships with the identified country or persons in that country etc.

2.8 List of Designated Individuals/ Entities

- 2.8.1 An updated list of individuals and entities which are subject to various sanction measures such as freezing of assets/accounts, denial of financial services etc., as approved by the Security Council Committee established pursuant to various United Nations' Security Council Resolutions (UNSCRs) will be accessed at its website at <http://www.un.org/sc/committees/1267/consolist.shtml>. PSEC shall ensure that accounts are not opened in the name of anyone whose name appears in said list. PSEC shall continuously scan all existing accounts to ensure that no account is held by or linked to any of the entities or individuals included in the list. Full details of accounts bearing resemblance with any of the individuals/entities in the list shall immediately be intimated to SEBI and FIUIND.

2.9 Procedure for Freezing Of Funds, Financial Assets Or Economic Resources Or Related Services.

- 2.9.1 Section 51A of the Unlawful Activities (Prevention) Act, 1967 (UAPA), relating to the purpose of prevention of, and for coping with terrorist activities was brought into effect through UAPA Amendment Act, 2008. In this regard, the Central Government has issued an Order dated August 27, 2009 detailing the procedure for the implementation of Section 51A of the UAPA.
- 2.9.2 In view of the reorganization of Divisions in the Ministry of Home Affairs and allocation of work relating to countering of terror financing to the Counter Terrorism and Counter Radicalization (CTCR) Division, the Government has modified the earlier order dated August 27, 2009 by the order dated March 14, 2019 for strict compliance.

2.10 Reporting to Financial Intelligence Unit-India

- 2.10.1 In terms of the PML Rules, PSEC shall report information relating to cash and suspicious transactions to the Director, Financial Intelligence Unit-India (FIU-IND) at the following address:

Director, FIU-IND,
Financial Intelligence Unit-India,
6th Floor, Hotel Samrat,
Chanakyapuri,
New Delhi-110021.
Website: <http://fiuindia.gov.in>

- 2.10.2 All the reporting requirements and formats that are available on the website of FIU – IND under the Section Obligation of Reporting Entity – Furnishing Information Reporting Format (https://fiuindia.gov.in/files/downloads/Filing_Information.html). These documents contain detailed directives on the compilation and manner/procedure of submission of the reports to FIU-IND. The related hardware and technical requirement for preparing reports, the related data files and data structures thereof are also detailed in these documents. While detailed instructions for filing all types of reports are given in the instructions part of the related formats, PSEC shall adhere to the following:
- a) The Cash Transaction Report (CTR) (wherever applicable) for each month shall be submitted to FIU-IND by 15th of the succeeding month.
 - b) The Suspicious Transaction Report (STR) shall be submitted within 7 days of arriving at a conclusion that any transaction, whether cash or non-cash, or a series of transactions integrally connected are of suspicious nature. The Principal Officer shall record his reasons for treating any transaction or a series of transactions as suspicious. It shall be ensured that there is no undue delay in arriving at such a conclusion.
 - c) The Principal Officer will be responsible for timely submission of CTR, STR and NTR to FIU-IND.
 - d) Utmost confidentiality shall be maintained in filing of CTR, STR and NTR to FIUIND.
 - e) No nil reporting needs to be made to FIU-IND in case there are no cash/suspicious/ non – profit organization transactions to be reported.
- 2.10.3 PSEC shall not put any restrictions on operations in the accounts where an STR has been made. The Company and its directors, officers and employees (permanent and temporary) shall be prohibited from disclosing (“tipping off”) the fact that a STR or related information is being reported or provided to the FIU-IND. This prohibition on tipping off extends not only to the filing of the STR and/ or related information but even before, during and after the submission of an STR. Thus, it will be ensured that there is no tipping off to the client at any level
- 2.10.4 PSEC, irrespective of the amount of transaction and/or the threshold limit envisaged for predicate offences specified in part B of Schedule of PMLA, 2002, shall file STR if there are reasonable grounds to believe that the transactions involve proceeds of crime.

2.11 Designation Of Officers For Ensuring Compliance With Provisions Of Pmla

2.11.1 Appointment Of A Principal Officer:

- 2.11.1.1 To ensure that the PSEC properly discharge its legal obligations to report suspicious transactions to the authorities, the Principal Officer would act as a central reference point in

facilitating onward reporting of suspicious transactions and for playing an active role in the identification and assessment of potentially suspicious transactions and shall have access to and be able to report to the Board of Directors. Names, designation and addresses (including email addresses) of 'Principal Officer' including any changes therein shall also be intimated to the Office of the Director-FIU.

2.11.2 Appointment of a Designated Director:

- 2.11.2.1 In addition to the existing requirement of designation of a Principal Officer, PSEC shall also designate a person as a 'Designated Director'. The Designated Director of the Company is Leela Jeyakumar
- 2.11.2.2 In terms of Section 13 (2) of the PMLA, the Director, FIU – IND can take appropriate action, including levying monetary penalty, on the Designated Director for failure of the intermediary to comply with any of its AML/CFT obligations.
- 2.11.2.3 PSEC shall communicate the details of the Designated Director, such as, name designation and address to the Office of the Director, FIU – IND.

2.12 Employees' Hiring/Employee's Training/ Investor Education

2.12.1 Hiring of Employees

- 2.12.1.1 PSEC shall have adequate screening procedures in place to ensure high standards when hiring employees. PSEC shall identify the key positions within the organization structures having regard to the risk of money laundering and terrorist financing and the size of its business and shall ensure the employees taking up such key positions are suitable and competent to perform their duties.

2.12.2 Employees' Training:

- 2.12.2.1 PSEC have an ongoing employee training programme so that the members of the staff are adequately trained in AML and CFT procedures. Training requirements shall have specific focuses for frontline staff, back-office staff, compliance staff, risk management staff and staff dealing with new clients. It is crucial that all those concerned fully understand the rationale behind these directives, obligations and requirements, implement them consistently and are sensitive to the risks of their systems being misused by unscrupulous elements.

2.12.3 Investors Education

- 2.12.3.1 Implementation of AML/CFT measures requires PSEC to demand certain information from investors which may be of personal nature or has hitherto never been called for. Such

information may include documents evidencing source of funds/income tax returns/bank records etc. PSEC shall sensitize its clients about these requirements as the ones emanating from AML and CFT framework. PSEC shall prepare specific literature/pamphlets etc. so as to educate the client of the objectives of the AML/CFT programme.

2.13 Audit / Testing of Anti Money Laundering Program

The Anti Money Laundering program shall be subject to periodic audit, specifically with regard to testing its adequacy to meet the compliance requirements. The audit/testing shall be conducted by PSEC own personnel not involved in framing or implementing the AML program or it may be done by a qualified third party. The report of such an audit/testing shall be placed before the senior management for making suitable modifications/improvements in the AML program.

2.14 Review of the Policy

This policy will be reviewed annually by the Principal Officer, Designated Director for FIU (PMLA) and Designated Directors for the Stock Exchange memberships. Views of concerned Business Heads and chief of Internal Audit, if any, may be taken into account where the management finds it necessary. Revised versions of the policy shall be reviewed, approved and adopted by the Board of Directors

This policy has been reviewed on 28.06.2024 and updated to incorporate all regulatory requirements until and including those in SEBI master circular number SEBI/HO/MIRSD/MIRSD-SEC- 5/P/CIR/2023/022 dated February 03, 2023, SEBI/HO/MIRSD/MIRSD-SEC-5/P/CIR/2023/062 dated April 26, 2023, SEBI/HO/MIRSD/MIRSDSECFATF/P/CIR/2023/091 Dated June16,2023, SEBI/HO/MIRSD/SECFATF/P/CIR/2023/0170 Dated October13,2023 & SEBI/HO/MIRSD/MIRSDSECFATF/P/CIR/2024/78 Dated June 06, 2024.

Details of the Entity		
1	Name	M/s PATERSON SECURITIES PVT. LTD
2	FIUREID Id:	BF00006494
3	Name of Principal Officer & Communication address	Chidambaram Muthukaruppan No:3, Bhavani Mansion, 4 th Lane, Nungambakkam, Chennai – 600 034.
4	Name of Designated Director & Communication address	M. Amarnath No:3, Bhavani Mansion, 4 th Lane, Nungambakkam, Chennai – 600 034.