

foreign banks . in switzerland .

Bundesamt für Polizei fedpol
Kriminalpolizei & Direktionsstab, Abteilung MROS
Nussbaumstrasse 33
3003 Bern

Zürich, 15 July 2019

Revision Ordinance on the Money Laundering Reporting Office

Dear Madam, Dear Sir

We are pleased to submit herewith our Association's comments on the draft revision of the Ordinance on the MROS. The project has been discussed with the Association members and its representatives also contributed to the comments of the SBA which we endorse.

We would like to underline two points which are of key importance to the foreign banks:

1 The AFBS welcomes the fact that the Ordinance continues to allow for transmission of suspicious activity reports through other channels than the XML / web platform. This is of paramount importance for foreign banks, many of which only have limited operations in Switzerland as compared to their foreign parent company. The setup of a dedicated XML file transfer system is disproportionate and the deadline for defining it too short. Therefore alternative means of filing need to remain available; there needs to be a compromise between data protection and ease of use of the transmission.

2 The AFBS further would like to suggest rewording Art 16 Par 1 Lit a. Rather than referring to suspicious transactions in a specific (i.e. unlimited) period of time, the text should be more restrictive and refer to transactions in a period of time where the suspicion came up. Thus, the AFBS suggests the following wording:

16.1.a


~~Verdächtige Finanztransaktionen in einem bestimmten im verdächtigen Zeitraum~~

Les transactions financières suspectes pendant ~~une~~ la période ~~suspected~~déterminée

We thank you in advance for your attention. The undersigned on the right remains at your disposal for any further clarification.

Best Regards

ASSOCIATION OF FOREIGN BANKS IN SWITZERLAND



Dr. Martin Maurer
Secretary General



Raoul Würzler
Deputy Secretary General