



Focus Group Discussion
Pembahasan Template Kuesioner Immediate
Outcome (IO) 4 dalam rangka Persiapan *Mutual
Evaluation Review (MER)* Indonesia oleh FATF

Jakarta, 14 Juni 2019
Grup Penanganan APU PPT OJK



Financial Action Task Force dan Mutual Evaluation Review

Financial Action Task Force



Financial Action Task Force on Money Laundering (FATF) adalah sebuah lembaga internasional yang mengeluarkan standar untuk mencegah dan memberantas tindak pidana pencucian uang dan pendanaan terorisme serta melakukan evaluasi terhadap negara-negara di dunia atas standar tersebut. Momentum kelahiran FATF muncul pada tahun 1989, saat isu tentang anti pencucian uang mengemuka dalam pertemuan negara-negara G7. FATF lahir sebagai respon atas kekhawatiran internasional terhadap risiko pencucian uang atas integritas sistem keuangan.

Tujuan dan Tanggung Jawab Lembaga Internasional FATF

- Menetapkan standar dan mendorong langkah-langkah penegakan hukum, baik dari sisi regulasi maupun operasional yang efektif untuk memerangi pencucian uang, pendanaan terorisme, dan tindak pidana lainnya yang mengancam integritas sistem keuangan internasional.

Tujuan



- Untuk melakukan analisis terhadap teknik dan tren atas pencucian uang,
- Mengkaji ulang upaya yang telah dilakukan pada tingkat nasional dan internasional, serta
- Menentukan instrumen atau metodologi yang diperlukan untuk memberantas pencucian uang

Tanggung Jawab



Pengantar Kelembagaan FATF

Keanggotaan FATF

Anggota

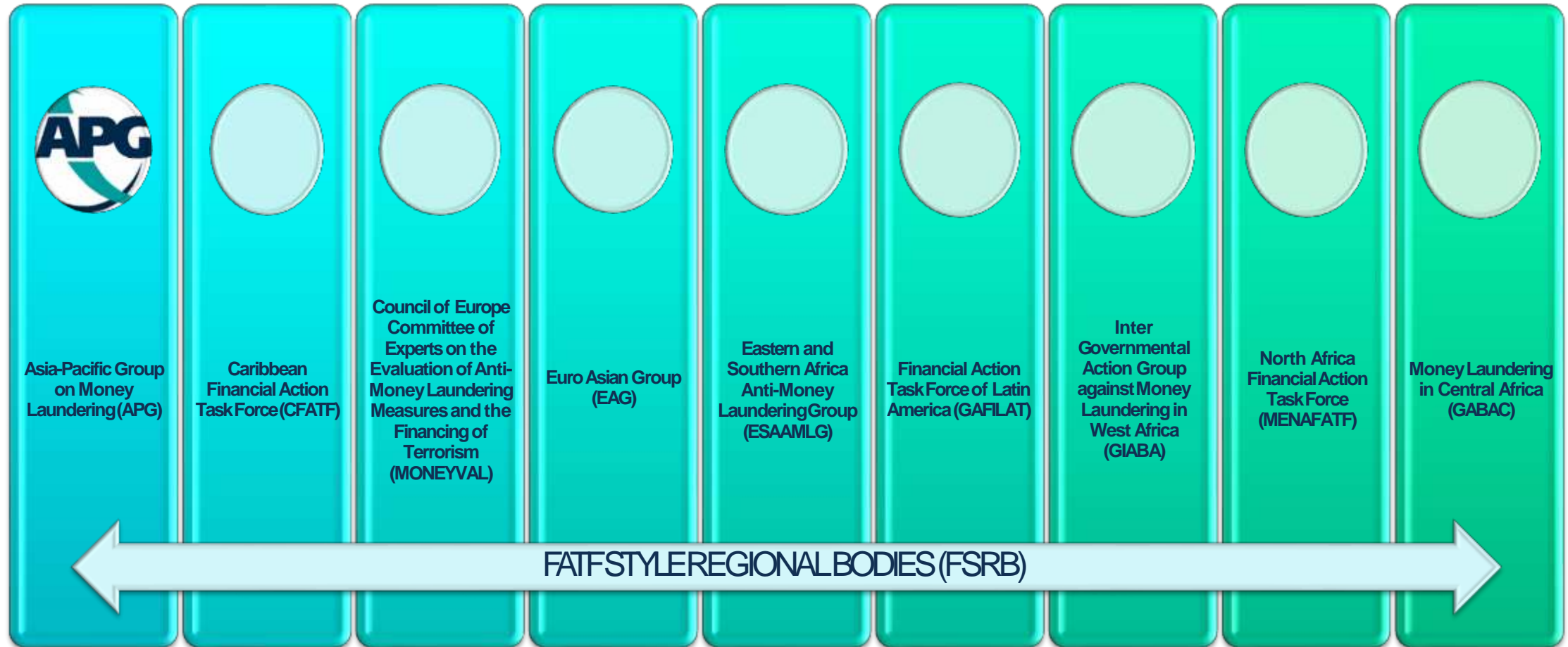
- Negara-negara anggota FATFsaat ini berjumlah 38 yurisdiksi yaitu:
- Afrika Selatan, Amerika Serikat, Argentina, Australia, Austria, Belanda, Belgia, Brasil, Denmark, Dewan Kerjasama Teluk (*Gulf Cooperation Council/GCC*), Finlandia, Hongkong, India, Inggris, Irlandia, Islandia, Israel, Italia, Jepang, Jerman, Kanada, Komisi Eropa, Korea Selatan, Luksemburg, Malaysia, Meksiko, Norwegia, Portugal, Prancis, Republik Rakyat Tiongkok, Rusia, Selandia Baru, Singapura, Spanyol, Swedia, Swiss, Turki, dan Yunani.

Observer

- Negara yang saat ini menjadi observer adalah:
- Indonesia dan Arab Saudi

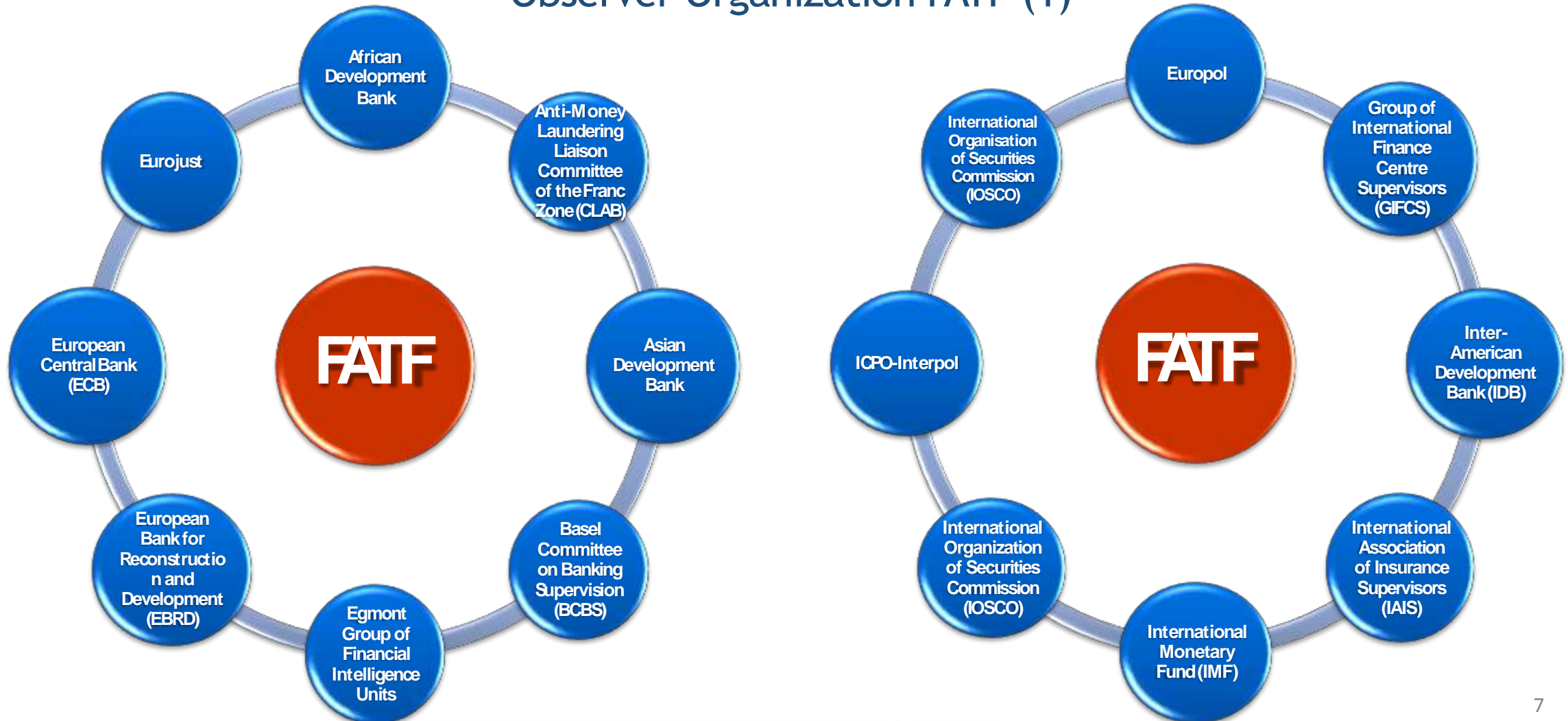
Pengantar Kelembagaan FATF

FATF Associate Members



Pengantar Kelembagaan FATF

Observer Organization FATF (1)



Pengantar Kelembagaan FATF

Observer Organization FATF (1)



Pengantar Kelembagaan FATF

Tugas dan Fungsi FATF

TUGAS

Menyusun rekomendasi internasional untuk memerangi dan memberantas pencucian uang. FATF merupakan *intergovernmental body* sekaligus *policy making* yang berisikan para pakar dibidang hukum, keuangan, dan penegak hukum yang membantu yurisdiksi negara dalam penyusunan peraturan perundang-undangan.

Pengantar Kelembagaan FATF

Fungsi FATF

1. Memonitor kemajuan yang dicapai para anggota FATF dalam melaksanakan langkah-langkah pemberantasan kejahatan pencucian uang;
2. Melakukan kajian mengenai kecenderungan dan tipologi pencucian uang, serta menerapkan *counter-measures*; dan
3. Mempromosikan pengadopsian dan pelaksanaan standar anti pencucian uang terhadap seluruh negara di dunia.

Pengantar Kelembagaan FATF

FATF Reccomendations

FATF juga telah mengeluarkan 40 Rekomendasi tentang pemberantasan pencucian uang dan pendanaan teroris yang melingkupi sistem peradilan pidana dan penegakan hukum, sistem finansial, dan regulasi serta kerjasama internasional.

Hingga saat ini, FATF telah beberapa kali melakukan revisi terhadap rekomendasi yang dikeluarkannya.



Pengantar Kelembagaan FATF

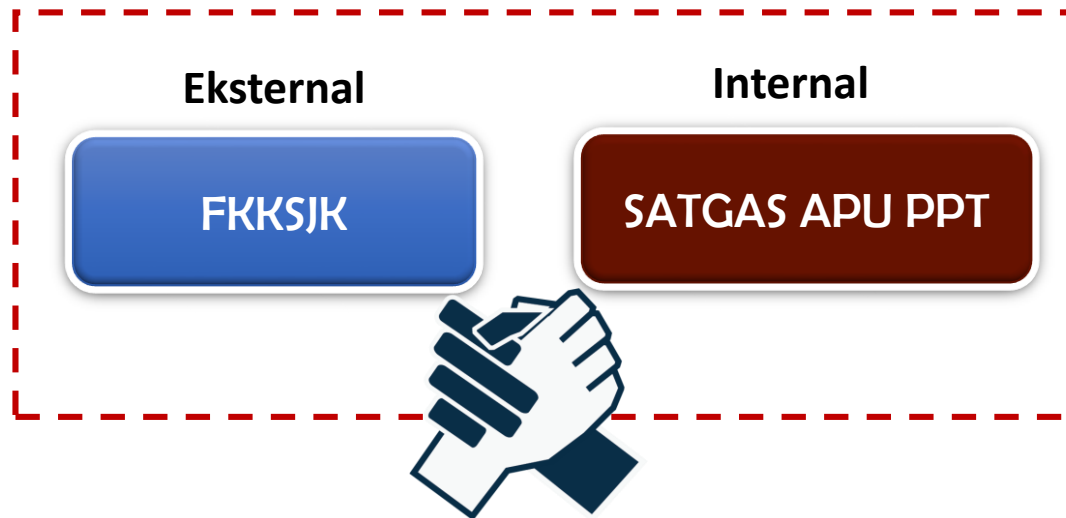
Mutual Evaluation

Mutual Evaluation adalah sebuah proses peninjauan atau pemeriksaan dokumen dan kunjungan *Mutual Evaluation* adalah sebuah proses peninjauan atau pemeriksaan dokumen dan kunjungan ke *negara yang dievaluasi (on-site visit)* terhadap ketentuan-ketentuan dalam konteks dan pemberantasan tindak pencucian uang serta tindak pidana penciptaan terorisme.

Peninjauan ini dilakukan oleh negara lain atau organisasi internasional [Dana Moneter Internasional (IMF) dan/atau Bank Dunia] dibawah bendera Financial Action Task Force (FATF) atau FSRB seperti Asia Pacific Group on Money Laundering (APGML).

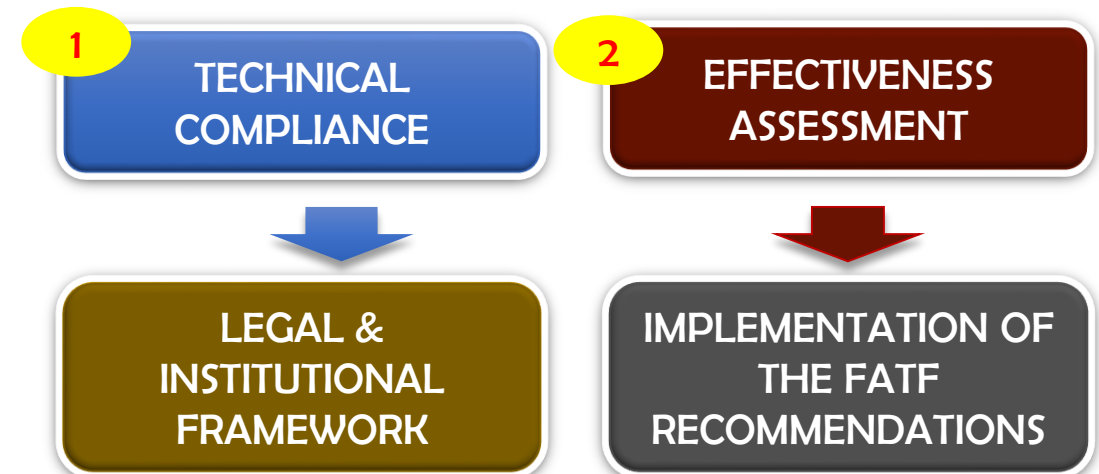
Mutual Evaluation Review (MER)

- MER merupakan Program Nasional.
- Dibutuhkan keterlibatan semua pihak meliputi otoritas, aparat penegak hukum, dan pelaku industri.

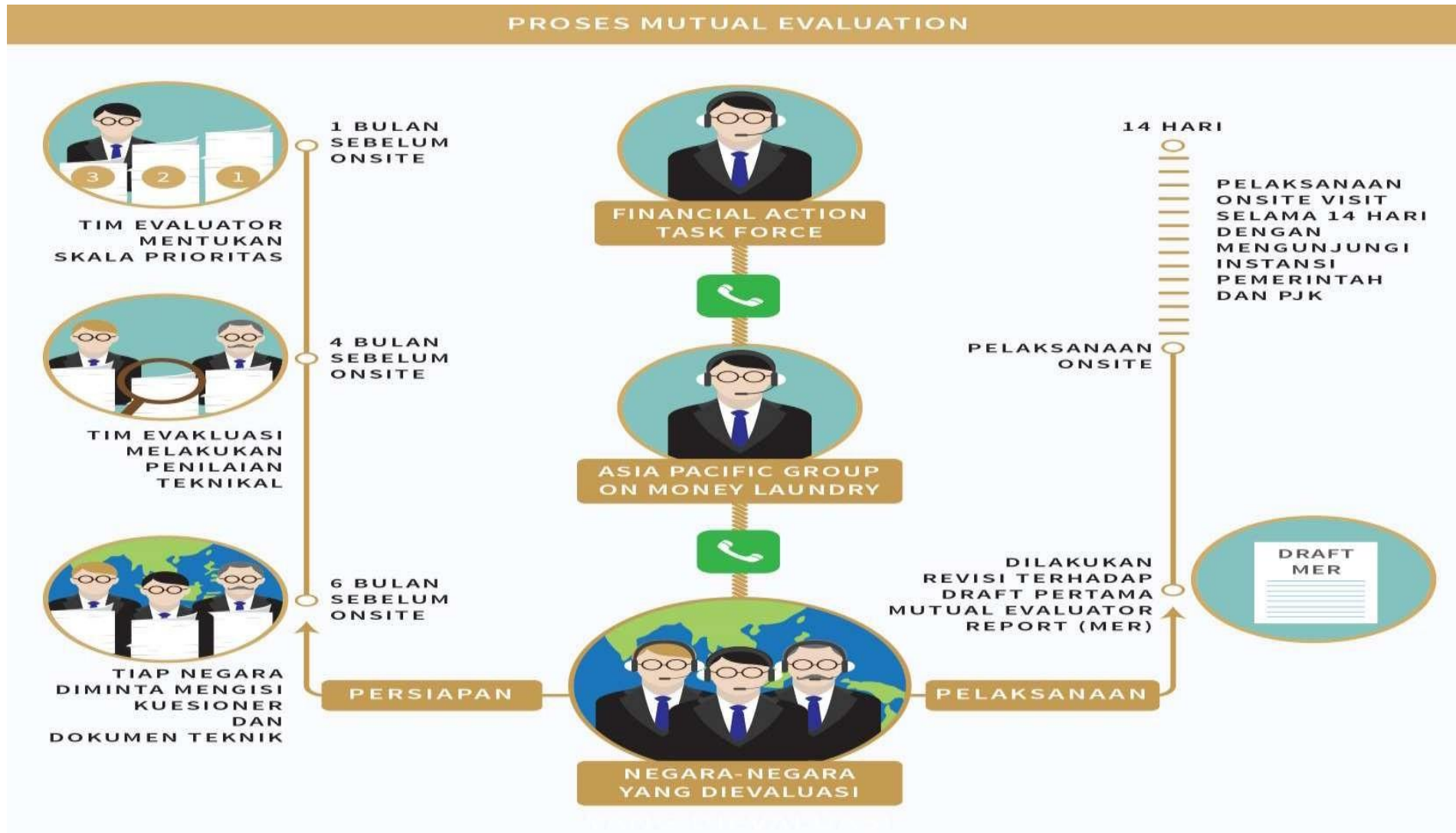


- *Mutual Evaluation Review* (MER) adalah penilaian kepatuhan rezim Anti Pencucian Uang dan Pencegahan Pendanaan Terorisme (APU PPT) suatu negara terhadap 40 Rekomendasi FATF.
- **Tujuan MER FATF tahun 2019/2020 adalah untuk menentukan apakah Indonesia layak menjadi anggota FATF.** Tidak seperti MER APG yang bersifat *peer to peer review*.
- Penilaian mencakup aspek **technical compliance** terhadap 40 Rekomendasi FATF dan penilaian terhadap **efektifitas pelaksanaannya** (11 *Immediate Outcomes*).

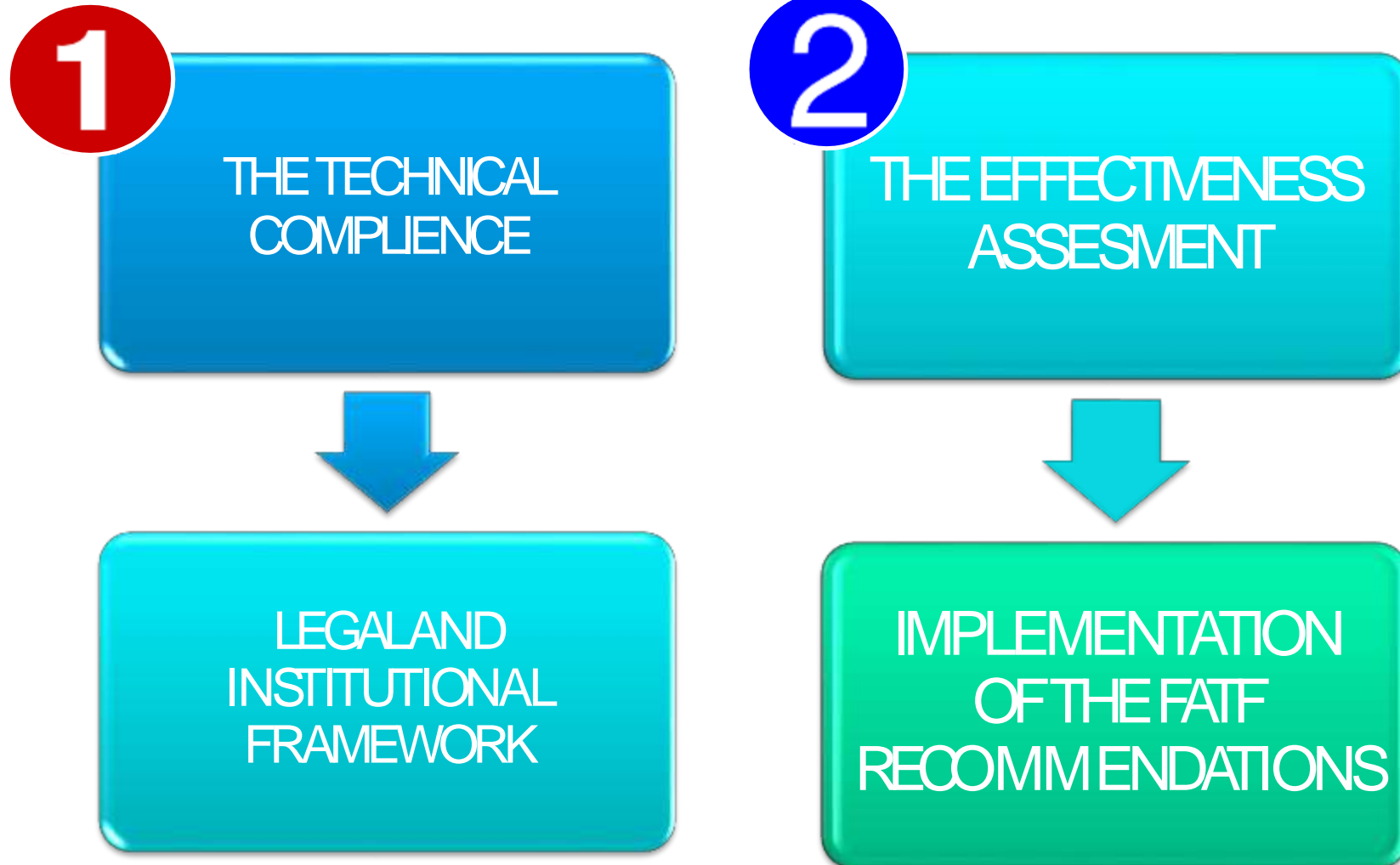
METODOLOGI PENILAIAN MER



Pengantar Kelembagaan FATF



Pengantar Kelembagaan FATF



Penilaian Kepatuhan atas 40 Rekomendasi FATF (Technical Compliance)

THE FATF RECOMMENDATIONS

Number

A – AML/CFT POLICIES AND COORDINATION

- 1 Assessing risks & applying a risk-based approach *
- 2 National cooperation and coordination

B – MONEY LAUNDERING AND CONFISCATION

- 3 Money laundering offence *
- 4 Confiscation and provisional measures *

C – TERRORIST FINANCING AND FINANCING OF PROLIFERATION

- 5 Terrorist financing offence *
- 6 Targeted financial sanctions related to terrorism & terrorist financing *
- 7 Targeted financial sanctions related to proliferation *
- 8 Non-profit organisations *

D – PREVENTIVE MEASURES

- 9 Financial institution secrecy laws
- Customer due diligence and record keeping*
- 10 Customer due diligence *
- 11 Record keeping
- Additional measures for specific customers and activities*
- 12 Politically exposed persons *
- 13 Correspondent banking *
- 14 Money or value transfer services *
- 15 New technologies
- 16 Wire transfers *
- Reliance, Controls and Financial Groups*
- 17 Reliance on third parties *
- 18 Internal controls and foreign branches and subsidiaries *
- 19 Higher-risk countries *
- Reporting of suspicious transactions*
- 20 Reporting of suspicious transactions *
- 21 Tipping-off and confidentiality
- Designated non-financial Businesses and Professions (DNFBPs)*
- 22 DNFBPs: Customer due diligence *
- 23 DNFBPs: Other measures *

E – TRANSPARENCY AND BENEFICIAL OWNERSHIP OF LEGAL PERSONS AND ARRANGEMENTS

- 24 Transparency and beneficial ownership of legal persons *
- 25 Transparency and beneficial ownership of legal arrangements *

F – POWERS AND RESPONSIBILITIES OF COMPETENT AUTHORITIES AND OTHER INSTITUTIONAL MEASURES

Regulation and Supervision

- 26 Regulation and supervision of financial institutions *
- 27 Powers of supervisors
- 28 Regulation and supervision of DNFBPs

Operational and Law Enforcement

- 29 Financial intelligence units *
- 30 Responsibilities of law enforcement and investigative authorities *
- 31 Powers of law enforcement and investigative authorities
- 32 Cash couriers *

General Requirements

- 33 Statistics
- 34 Guidance and feedback

Sanctions

- 35 Sanctions

G – INTERNATIONAL COOPERATION

- 36 International instruments
- 37 Mutual legal assistance
- 38 Mutual legal assistance: freezing and confiscation *
- 39 Extradition
- 40 Other forms of international cooperation *

* Recommendations marked with an asterisk have interpretive notes, which should be read in conjunction with the Recommendation.

Version as adopted on 15 February 2012.

OJK bertanggung jawab terhadap 26 Rekomendasi

Technical compliance ratings		
Compliant	C	There are no shortcomings.
Largely compliant	LC	There are only minor shortcomings.
Partially compliant	PC	There are moderate shortcomings.
Non-compliant	NC	There are major shortcomings.
Not applicable	NA	A requirement does not apply, due to the structural, legal or institutional features of a country.

High-Level Objective:

Financial systems and the broader economy are protected from the threats of money laundering and the financing of terrorism and proliferation, thereby strengthening financial sector integrity and contributing to safety and security.

Intermediate Outcomes:

Policy, coordination and cooperation mitigate the money laundering and financing of terrorism risks.

Proceeds of crime and funds in support of terrorism are prevented from entering the financial and other sectors or are detected and reported by these sectors.

Money laundering threats are detected and disrupted, and criminals are sanctioned and deprived of illicit proceeds. Terrorist financing threats are detected and disrupted, terrorists are deprived of resources, and those who finance terrorism are sanctioned, thereby contributing to the prevention of terrorist acts.

Immediate Outcomes:

- 1 Money laundering and terrorist financing risks are understood and, where appropriate, actions coordinated domestically to combat money laundering and the financing of terrorism and proliferation.
- 2 International cooperation delivers appropriate information, financial intelligence, and evidence, and facilitates action against criminals and their assets.
- 3 Supervisors appropriately supervise, monitor and regulate financial institutions and DNFBPs for compliance with AML/CFT requirements commensurate with their risks.
- 4 Financial institutions and DNFBPs adequately apply AML/CFT preventive measures commensurate with their risks, and report suspicious transactions.
- 5 Legal persons and arrangements are prevented from misuse for money laundering or terrorist financing, and information on their beneficial ownership is available to competent authorities without impediments.
- 6 Financial intelligence and all other relevant information are appropriately used by competent authorities for money laundering and terrorist financing investigations.
- 7 Money laundering offences and activities are investigated and offenders are prosecuted and subject to effective, proportionate and dissuasive sanctions.
- 8 Proceeds and instrumentalities of crime are confiscated.
- 9 Terrorist financing offences and activities are investigated and persons who finance terrorism are prosecuted and subject to effective, proportionate and dissuasive sanctions.
- 10 Terrorists, terrorist organisations and terrorist financiers are prevented from raising, moving and using funds, and from abusing the NPO sector.
- 11 Persons and entities involved in the proliferation of weapons of mass destruction are prevented from raising, moving and using funds, consistent with the relevant UNSCRs.

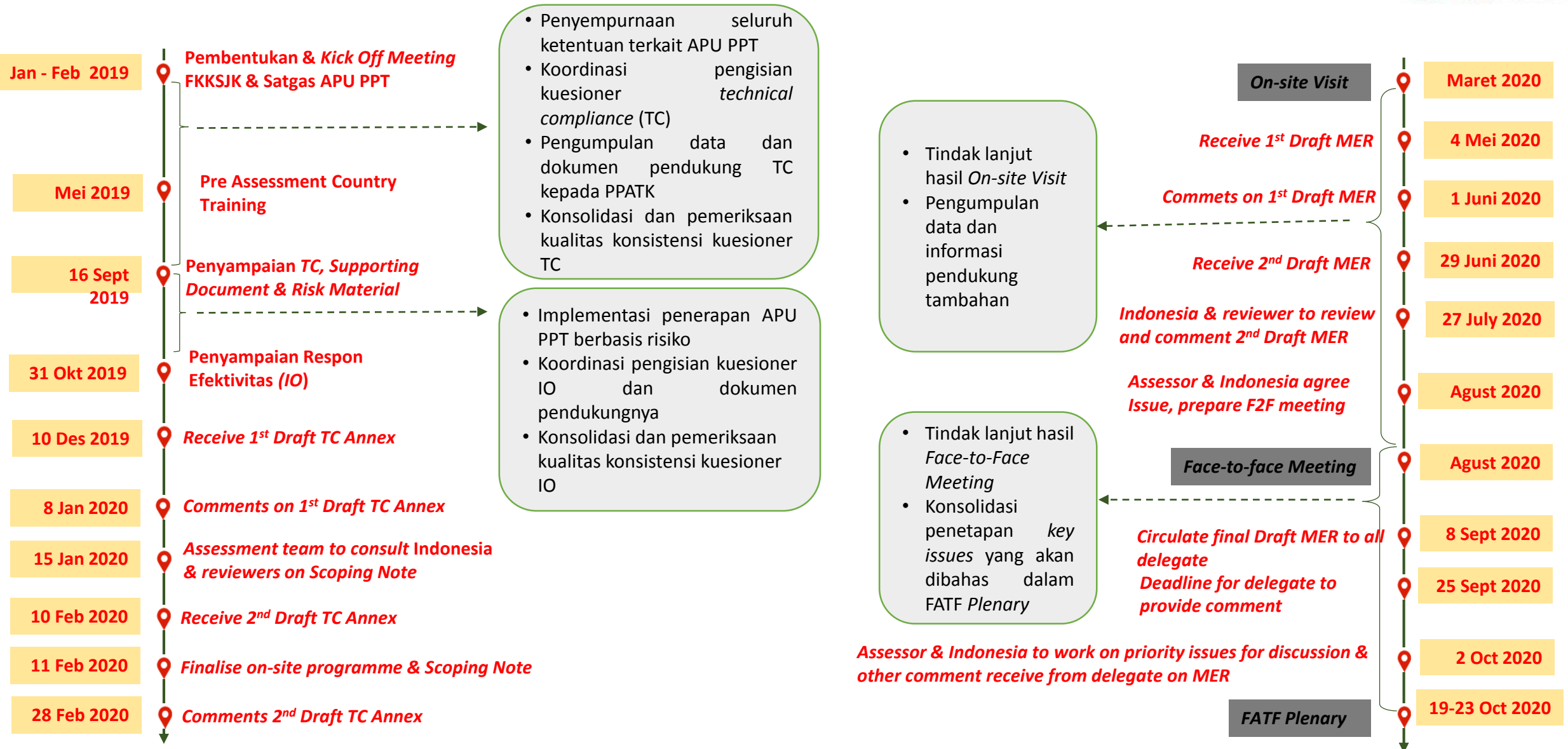
OJK bertanggung jawab terhadap 7 *Immediate Outcome*

Effectiveness ratings	
High level of effectiveness	The Immediate Outcome is achieved to a very large extent. Minor improvements needed.
Substantial level of effectiveness	The Immediate Outcome is achieved to a large extent. Moderate improvements needed.
Moderate level of effectiveness	The Immediate Outcome is achieved to some extent. Major improvements needed.
Low level of effectiveness	The Immediate Outcome is not achieved or achieved to a negligible extent. Fundamental improvements needed.

MER of Indonesia KEY DEADLINES

May 2019 (TBC)	Pre-assessment Country Training	4 May 2020	Assessment team to send 1 st draft MER to Indonesia
16 September 2019	Indonesia to provide TC Update, supporting documents (law, regulations, guidance, institutional framework etc.) and risk material	1 June 2020	Indonesia to send comments on 1 st draft MER.
31 October 2019	Indonesia to send information on Effectiveness (all Immediate Outcomes)	29 June 2020	Assessment team to send 2 nd draft MER to Indonesia and reviewers
10 December 2019	Assessment team to send out 1 st draft TC Annex to Indonesia	27 July 2020	Indonesia and reviewers to review and send comments on 2 nd draft MER
8 January 2020	Indonesia to send comments on 1 st draft TC Annex	August 2020	Assessment team and Indonesia to agree issues and prepare for face to face meeting
15 January 2020	Assessment Team to consult Indonesia and reviewers on Scoping Note	August 2020 (TBC)	FACE-TO-FACE MEETING
10 February 2020	Assessment team to send 2 nd draft TC Annex to Indonesia	8 September 2020	Circulate final draft MER to all delegations
11 February 2020	Finalise on-site programme and Scoping Note	25 September 2020	Deadline for delegations to provide comments
28 February 2020	Indonesia to provide comments to 2 nd draft TC Annex	2 October 2020	Assessment team and Indonesia to work on priority issues for discussion and on other comments received from delegations on MER
March 2020 (TBC)	ON-SITE VISIT	19-23 October 2020	PLENARY DISCUSSION OF MER

Timeline OJK untuk Persiapan MER FATF





Template Kuesioner Immediate Outcome 4

Kriteria Efektivitas dalam rangka mengurangi TPPU/TPPT

1. Pemahaman PJK terhadap sifat dan tingkat risiko TPPU/TPPT
2. Pengembangan dan penerapan kebijakan APU PPT (termasuk dalam grup konglomerasi), pengendalian internal dan kebijakan mitigasi risiko yang cukup memadai
3. Penerapan CDD yang sesuai untuk mengidentifikasi dan memverifikasi nasabah termasuk BO dan pelaksanaan *ongoing monitoring*
4. Pelaporan transaksi mencurigakan
5. Kewajiban APU PPT lainnya

Core Issues IO4

- 4.1 How well do financial institutions and DNFBPs understand their ML/TF risks and AML/CFT obligations?
- 4.2. How well do financial institutions and DNFBPs apply mitigating measures commensurate with their risks?
- 4.3. How well do financial institutions and DNFBPs apply the CDD and record-keeping measures (including beneficial ownership information and ongoing monitoring)? To what extent is business refused when CDD is incomplete?
- 4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for: (a) PEPs, (b) correspondent banking, (c) new technologies, (d) wire transfers rules, (e) targeted financial sanctions relating to TF, and (f) higher-risk countries identified by the FATF?
- 4.5. To what extent do financial institutions and DNFBPs meet their reporting obligations on the suspected proceeds of crime and funds in support of terrorism? What are the practical measures to prevent tipping-off?
- 4.6. How well do financial institutions and DNFBPs apply internal controls and procedures (including at financial group level) to ensure compliance with AML/CFT requirements? To what extent are there legal or regulatory requirements (*e.g.*, financial secrecy) impeding its implementation?

4.1. How well do financial institutions and DNFBPs understand their ML/TF risks and AML/CFT obligations?

Konsep Jawaban (PJK)

Pemahaman PJK terhadap risiko TPPU/TPPT

1. Pemahaman PJK terhadap hasil penilaian risiko TPPU/TPPT berdasarkan NRA, SRA dan *white papers*.
2. Mekanisme internalisasi dan *outreach* terhadap hasil penilaian risiko TPPU/TPPT berdasarkan NRA, SRA & *white papers*?
3. Sumber informasi yang diperoleh PJK atas hasil NRA dan SRA termasuk *white papers*.
4. Keterlibatan PJK dalam penyusunan NRA dan SRA termasuk *white papers*.
5. Gambaran dan uraian hasil penilaian risiko TPPU/TPPT (*Individual Risk Assessment*) berdasarkan nasabah, produk dan jasa, saluran distribusi, dan area geografis.
6. Hubungan antara hasil penilaian risiko TPPU/TPPT (*Individual Risk Assessment*) dengan NRA, SRA dan *whitepapers*. Kebijakan dan upaya PJK dalam memitigasi risiko TPPU/TPPT (e.g. pengawasan internal PJK terhadap a) ketentuan BO, b) penerapan CDD terkait transaksi tunai dalam jumlah tertentu oleh PEPs, dll)?
7. Penyempurnaan kebijakan internal yang dilakukan PJK terkait penerapan program APU PPT dan kebijakan sistem pengendalian internal dalam rangka menindak-lanjuti hasil penilaian risiko TPPU/TPPT berdasarkan NRA, SRA dan *white papers*. Jelaskan poin poin penyempurnaan kebijakan dan hubungannya dengan penilaian risiko TPPU/TPPT PJK.



4.1. How well do financial institutions and DNFBPs understand their ML/TF risks and AML/CFT obligations?

Konsep Jawaban (PJK)

8. Mekanisme RBA atau penentuan *risk appetite* dalam memulai atau melakukan hubungan usaha dengan pengguna jasa. Korelasi antara RBA dengan NRA, SRA dan *whitepapers*. Frekuensi penyusunan RBA (berkala) dan jangka waktu (updating) RBA (penjelasan dan contoh implementasi).
9. Mekanisme dan media sharing informasi internal PJK atas hasil penilaian risiko TPPU/TPPT (anggota konglomerasi keuangan). Bagaimana pemanfaatan informasi antar anggota konglomerasi keuangan terkait penerapan program APU PPT secara *group wide*.

Dokumen Pendukung (PJK)

1. Dokumen *Individual Risk Assessment* yang mengacu pada NRA dan SRA.
2. Kebijakan dan Prosedur *Individual Risk Assessment* termasuk periode updating.
3. Data kegiatan diseminasi *Individual Risk Assessment* termasuk NRA dan SRA.
4. Daftar kegiatan pelatihan program APU PPT yang dilaksanakan PJK

Tambahan:

Tayangan langkah-langkah identifikasi dan hasil penilaian risiko (*Individual Risk Assessment*)

Dokumen Pendukung (Asosiasi)

1. Daftar program-program yang dilakukan oleh asosiasi sektor jasa keuangan terkait APU PPT

4.1. How well do financial institutions and DNFBPs understand their ML/TF risks and AML/CFT obligations?

Konsep Jawaban (OJK)

Pemahaman terhadap risiko TPPU/TPPT

10. Apakah LPP memiliki kebijakan untuk melakukan pemantauan dan pengawasan kepada PJK terhadap pemahaman terhadap hasil penilaian risiko TPPU dan TPPT berdasarkan dokumen NRA dan SRA? Apabila ada, jelaskan mekanisme pemantauan dan pengawasan dimaksud, serta jelaskan upaya yang dilakukan oleh LPP dalam hal penyedia jasa keuangan dimaksud tidak/belum memahami hasil penilaian risiko TPPU dan TPPT?
11. Apakah PJK diwajibkan untuk melakukan identifikasi, penilaian, dan memahami risiko TPPU dan TPPT di entitas PJK? Kalau ada, diatur pada peraturan apa? Apakah LPP mengeluarkan pedoman bagi PJK untuk melakukan identifikasi, penilaian, dan memahami risiko TPPU dan TPPT di PJK? Kalau ada, mohon sebutkan diatur dalam ketentuan apa dan apakah LPP sudah melakukan *outreach* terhadap pedoman dimaksud? Apabila sudah dilakukan *outreach*, mohon sebutkan tahun pelaksanaan dan jumlah pegawai PJK yang terlibat? Mohon penjelasan disertai dengan data statistik dan contoh kasus.

Dokumen Pendukung

1. Daftar program-program yang dilakukan OJK terkait diseminasi ketentuan (sosialisasi, minisite, workshop)
2. Statistik faktor kontekstual mengenai ukuran, komposisi, dan struktur SJK (misalnya, jumlah dan jenis lembaga keuangan dan yang dilisensikan atau terdaftar dalam setiap kategori; jenis keuangan (termasuk lintas sektor perbatasan) kegiatan; ukuran relatif, kepentingan dan materialitas sektor).

4.1. How well do financial institutions and DNFBPs understand their ML/TF risks and AML/CFT obligations?

Konsep Jawaban (PJK)

Pemahaman terhadap kewajiban program APU PPT

1. Pemahaman PJK terhadap kewajiban program APU PPT:
 - Penerapan *RBA (risk-based approach)*,
 - *CDD (customer due diligence)*,
 - *EDD (enhanced due diligence)*,
 - *STR (suspicious transaction reports)*,
 - *TFS (targeted financial sanctions)*,
 - *Recordkeeping and*
 - Ketentuan program APU-PPT lain (*other AML/CFT requirements*).
2. Bagaimana PJK memperoleh informasi kewajiban program APU PPT.
3. Apakah PJK memahami kewajiban program APU PPT dari peraturan dan pedoman Regulator.
4. Mekanisme internalisasi dan *outreach* internal PJK atas program dan peraturan APU PPT dari Regulator.
5. Mekanisme penyempurnaan kebijakan yang dilakukan atas peraturan yang diterbitkan regulator.

Informasi yang mendukung core issue

1. Bagaimana PJK mendokumentasikan dan meng-update *Individual Risk Assessment*?
2. Langkah-langkah internal PJK dalam mengidentifikasi risiko TPPU/TPPT atas 4 faktor risiko (nasabah, produk dan jasa, saluran distribusi, dan area geografis).
 - Metodologi
 - *Tools*
 - Formula

4.1. How well do financial institutions and DNFBPs understand their ML/TF risks and AML/CFT obligations?

Konsep Jawaban (Asosiasi)

Pemahaman terhadap kewajiban program APU PPT

1. Penjelasan mengenai program-program yang dilakukan oleh asosiasi sektor jasa keuangan terkait APU PPT
2. Penjelasan mengenai keterlibatan Asosiasi dalam penyusunan NRA dan SRA (termasuk *white paper*)

Konsep Jawaban (OJK)

Pemahaman terhadap kewajiban program APU PPT

1. Penjelasan mengenai program-program yang dilakukan oleh OJK terkait diseminasi ketentuan (*sosialisasi, minisite, workshop*)

4.2. How well do financial institutions and DNFBPs apply mitigating measures commensurate with their risks?

Konsep Jawaban (PJK)

1. Kebijakan dan upaya mitigasi risiko apa, serta *action plan* PJK dalam menindaklanjuti hasil penilaian risiko TPPU dan TPPT berdasarkan dokumen NRA, SRA dan *whitepapers*. Efektivitas pelaksanaan kebijakan dan *action plan* disertai penjelasan dan contoh implementasi.
2. Kebijakan PJK, dalam hal berdasarkan RBA/ risk appetite, ditemui pengguna jasa yang dinilai berisiko tinggi. Apakah dilakukan *Enhanced Due Dilligence* (EDD) atau pemutusan/penolakan hubungan usaha?
3. Kebijakan dan mitigasi risiko TPPU yang berasal dari TPA berisiko tinggi (korupsi, narkoba, dan pajak) dan bagaimana efektivitas penerapan kebijakan tersebut disertai penjelasan dan contoh implementasinya.

Informasi yang mendukung core issue

1. Alokasi sumber daya dan SDM PJK untuk program APU PPT. Apakah sumber daya telah dialokasikan sesuai pendekatan RBA yang pertimbangan *size, complexity, business activities and risk profile*.
2. Langkah-langkah dalam mempromosikan inklusi keuangan dikaitkan program APU PPT apakah menghambat upaya inklusi keuangan tersebut.

4.2. How well do financial institutions and DNFBPs apply mitigating measures commensurate with their risks?

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur APU PPT sesuai RBA terkait:
 - Penyusunan dan *review* kebijakan dan prosedur.
 - Pembukaan rekening dengan mempertimbangkan tingkat risiko nasabah.
 - SOP CDD, EDD, Simplified CDD, dst.
2. Penerapan program APU PPT dalam Konglomerasi Keuangan.
3. Contoh efektivitas implementasi mitigasi risiko TPPU/TPPT (misal formulir pembukaan rekening, formulir CDD/EDD, kasus penolakan/pemutusan hubungan usaha berdasarkan hasil penilaian risiko, dll)
4. Contoh efektivitas implementasi program APU PPT terkait inklusi keuangan.
5. Data sumber daya (pegawai, sistem, dll) untuk mendukung implementasi program APU PPT sesuai RBA.
6. Contoh efektivitas implementasi mekanisme sharing informasi pada Konglomerasi Keuangan, dan pemanfaatan informasi tsb.
7. Data pelatihan, rapat rutin termasuk Konglomerasi Keuangan, dan kegiatan lain terkait RBA.

Dokumen Pendukung (OJK)

1. Kebijakan/mekanisme pengawasan penerapan program APU PPT berbasis risiko (RBA).
2. Upaya LPP terhadap PJK yang tidak/belum memahami hasil penilaian risiko TPPU/TPPT (data kegiatan pelatihan/sosialisasi terkait RBA, pembinaan, sanksi, dll).

4.3. How well do financial institutions and DNFBPs apply the CDD and record-keeping measures (including beneficial ownership information and ongoing monitoring)? To what extent is business refused when CDD is incomplete?

Konsep Jawaban (PJK)

1. Jelaskan kebijakan internal terkait:
 - CDD secara umum
 - Pemutusan/penolakan hubungan usaha, khususnya kriteria pemutusan atau penolakan hubungan usaha, termasuk penolakan hubungan usaha saat CDD tidak lengkap
 - Penatausahaan dokumen terkait penerapan CDD, termasuk dokumen analisis TKM
 - BO, termasuk identifikasi, updating dan *ongoing monitoring*
2. Apakah kebijakan internal tersebut sejalan dengan POJK APU PPT?
3. Dalam melakukan pemutusan/penolakan hubungan usaha, apakah acuan PJK mengguna RBA? Jumlah pengguna jasa yang telah dikenakan pemutusan atau penolakan hubungan usaha oleh PJK per kriteria disertai penjelasan dan data statistik.
4. Database internal PJK mengenai BO atau sumber informasi PJK dalam identifikasi dan updating informasi BO?.
5. Tingkat kepatuhan PJK terhadap penerapan kebijakan internal terkait BO dan recordkeeping.
6. Penggunaan RBA dalam penetapan pengguna jasa yang melakukan transaksi berisiko tinggi. Kebijakan internal PJK dalam identifikasi pengguna jasa atau transaksi berisiko tinggi. Apakah kebijakan internal tersebut sejalan dengan POJK APU PPT? Berdasarkan pengawasan internal, bagaimana tingkat kepatuhan PJK terhadap penerapan program APU PPT.

4.3. How well do financial institutions and DNFBPs apply the CDD and record-keeping measures (including beneficial ownership information and ongoing monitoring)? To what extent is business refused when CDD is incomplete?

Konsep Jawaban (PJK)

7. Terkait kewajiban memiliki E-KTP, apakah seluruh PJK telah memanfaatkan E-KTP pada proses CDD?
8. Mekanisme penerapan CDD melalui pemanfaatan E-KTP (e.g. penggunaan card reader, biometrik, dll)?

Informasi yang mendukung core issues

7. Penerapan CDD oleh pihak ketiga dan bagaimana PJK melakukan pengendalian terhadap pihak ketiga tersebut?

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur CDD termasuk penolakan hubungan usaha dan CDD dengan memanfaatkan E-KTP
2. Kebijakan dan prosedur BO
3. Kebijakan dan prosedur *record keeping*
4. Data statistik penolakan hubungan usaha saat CDD tidak lengkap termasuk contoh kasus.
5. Statistik pemenuhan data dan informasi atas permintaan regulator terkait dengan informasi kelengkapan CDD untuk tujuan APU PPT
6. Contoh efektivitas implementasi pemanfaatan E-KTP dalam penerapan CDD

4.3. How well do financial institutions and DNFBPs apply the CDD and record-keeping measures (including beneficial ownership information and ongoing monitoring)? To what extent is business refused when CDD is incomplete?

Konsep Jawaban (OJK)

1. Tingkat kepatuhan PJK terhadap penerapan CDD terkait BO (e.g. good, moderate, poor)? Dalam hal tingkat kepatuhan dimaksud moderate atau poor, jelaskan penyebabnya disertai data statistik.
2. Jumlah PJK per industri yang telah memanfaatkan E-KTP dalam proses CDD disertai data statistik.
3. Contoh kasus pelanggaran kepatuhan program APU PPT (anitised cases/tipologi penyalah-gunaan PJK sebagai media TPPU/TPPT)
4. Tingkat kepatuhan penerapan CDD dan EDD (PJK bagian konglomerasi keuangan internasional vs PJK domestik? Sejauh mana tingkat penerapan program APU PPT nya ditinjau dari CDD, EDD atau tindakan spesifik lain sesuai tingkat risiko (PJK asing dan PJK domestik).

Dokumen Pendukung (OJK)

1. Data statistik jumlah PJK yang telah memanfaatkan E-ktp dalam proses CDD.
2. Data statistik tingkat kepatuhan PJK terhadap penerapan CDD termasuk terhadap BO.
3. Data statistik tingkat Kepatuhan penerapan CDD antara PJK asing dan PJK domestik.

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

PEPs

Konsep Jawaban (PJK)

1. Kebijakan internal PJK terhadap nasabah PEPs.
2. Alignment kebijakan internal PEPs dengan POJK APU PPT?
3. Berdasarkan pengawasan internal, bagaimana tingkat kepatuhan PJK.
4. Mekanisme identifikasi dan pemantauan terkait PEPs di PJK?
5. Database PEPs yang dimiliki PJK dan sumber informasi yang digunakan PJK untuk updating *database* PEPs. Apabila tidak ada, dari mana PJK memperoleh sumber informasi PJK dalam identifikasi dan pemantauan PEPs.
6. Mekanisme PJK untuk diseminasi database PEPs ke seluruh jaringan kantor.

Konsep Jawaban (PJK)

1. Kebijakan dan prosedur terkait PEPs.
2. *Database* PEPs.
3. Contoh efektivitas implementasi penerapan program APU PPT terhadap PEPs

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

PEPs

Konsep Jawaban (OJK)

1. Tingkat kepatuhan PJK terhadap penerapan CDD terhadap pengguna jasa PEPs (e.g. good, moderate, poor)? Dalam hal dinilai moderate atau poor, agar dijelaskan alasan disertai data statistik.

Informasi yang mendukung core issue

1. Contoh kasus pelanggaran kepatuhan program APU PPT (*sanitised cases* atau tipologi penyalahgunaan PJK sebagai media TPPU/TPPT)

Dokumen Pendukung (OJK)

Data statistik tingkat kepatuhan PJK terhadap penerapan program APU PPT terkait PEPs.

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

Correspondent Banking

Konsep Jawaban (PJK)

1. Kebijakan internal PJK terkait *correspondent banking* secara umum.
2. Kebijakan internal *correspondent banking* terkait dengan transaksi yang berasal atau ditujukan ke negara berisiko tinggi (e.g. Iran dan DPRK).
3. Kebijakan internal dikaitkan dengan POJK APU PPT (sejalan atau bertentangan).
4. Berdasarkan pengawasan internal, bagaimana tingkat kepatuhan PJK.

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur *correspondent banking*
2. Contoh efektivitas implementasi penerapan program APU PPT terkait *correspondent banking*

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

Correspondent Banking

Konsep Jawaban (OJK)

1. Tingkat kepatuhan PJK terhadap penerapan CDD terkait *correspondent banking* (e.g. good, moderate, poor). Apabila dinilai moderate atau poor, agar dijelaskan penyebabnya disertai dengan data statistik.
2. Pedoman khusus yang dikeluarkan LPP terkait penerapan correspondent banking. Apabila ada, pedoman tersebut diatur dimana dan media yang digunakan LPP dalam menginformasikan kepada PJK. Apabila tidak, apakah menurut LPP, PJK telah memiliki pemahaman yang memadai terkait ketentuan *correspondent banking*?

Informasi yang mendukung core issue

1. Contoh kasus atas pelanggaran kepatuhan APU PPT (misal *sanitised cases* atau tipologi penyalahgunaan PJK sebagai media TPPU/TPPT)

Dokumen Pendukung (OJK)

1. Data statistik tingkat kepatuhan PJK terhadap penerapan program APU PPT yang terkait *correspondent banking*

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

New Technologies

Konsep Jawaban (PJK)

1. Bentuk-bentuk *new technologies* di PJK yang saat ini telah ada atau yang akan ada (e.g. *e-banking*, *branchlessbanking*, laku pandai, dll)
2. Mekanisme identifikasi dan penilaian risiko TPPU/TPPT atas *new technologies* di PJK yang saat ini telah ada atau yang akan ada. Bentuk mitigasi risiko yang telah dilakukan dan contoh implementasi
3. Kebijakan internal PJK terkait *new technologies* dan kesesuaian kebijakan internal tersebut sejalan dengan POJK APU PPT.
4. Tingkat kepatuhan PJK terhadap penerapan kebijakan internal dimaksud berdasarkan pengawasan internal.

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur terkait *new technologies*
2. Dokumen penilaian risiko atas *new technologies*
3. Contoh efektivitas implementasi penerapan program APU PPT terkait *new technologies*

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

new technologies

Konsep Jawaban (OJK)

1. Upaya LPP dalam mengatasi risiko TPPU dan TPPT melalui penggunaan *virtual currency* (e.g. bitcoin) atau transaksi di PJK yang terkait dengan transaksi *virtual currency*. Mekanisme outreach terhadap kebijakan mitigasi risiko terhadap *virtual currency* tersebut.
2. Kebijakan dan upaya apa yang telah dilakukan oleh LPP dalam rangka memitigasi perkembangan teknologi pada sektor jasa keuangan termasuk *Financial Technology* (FinTech).
3. Tingkat kepatuhan PJK terhadap penerapan CDD terkait *new technologies* (e.g. good, moderate, poor). Apabila dinilai moderate atau poor, agar dijelaskan penyebabnya disertai dengan data statistik..
4. Pedoman khusus yang dikeluarkan LPP terkait penerapan *new technologies*. Media yang digunakan oleh LPP dalam rangka menginformasi pedoman dimaksud kepada PJK. Tingkat pemahaman PJK terkait ketentuan LPP mengenai *new technologies* menurut LPP.

Informasi yang mendukung core issue

1. Contoh kasus atas pelanggaran kepatuhan APU PPT (misal *sanitised cases* atau tipologi penyalahgunaan PJK sebagai media TPPU/TPPT)

Dokumen Pendukung (OJK)

1. Data statistik tingkat kepatuhan PJK terhadap penerapan program APU PPT yang terkait dengan *new technologies*
2. Contoh efektivitas upaya LPP untuk mitigasi perkembangan *new technologies* dan upaya *outreach* atas mitigasi risiko dimaksud

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

wire transfers rules

Konsep Jawaban (PJK)

1. Kebijakan internal terkait *wire transfers* secara umum (termasuk identifikasi, verifikasi dan penatausahaan dokumen oleh bank selaku Penyelenggara pengirim, penerus dan penerima).
2. Kebijakan internal terkait *wire transfers* termasuk transaksi yang berasal atau ditujukan ke negara berisiko tinggi (e.g. Iran dan DPRK).
3. Tingkat kepatuhan PJK terhadap penerapan program APU PPT terkait *wire transfers* berdasarkan pengawasan internal,

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur terkait *wire transfers*.
2. Contoh efektivitas implementasi penerapan program APU PPT terkait *wire transfers*.
3. Contoh kasus penolakan *wire transfers* karena adanya informasi yang tidak memadai .

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

wire transfers rules

Konsep Jawaban (OJK)

1. Tingkat kepatuhan penyedia jasa keuangan terkait *wire transfers* (e.g. good, moderate, poor). Apabila dinilai moderate atau poor, agar dijelaskan penyebabnya disertai dengan data statistik.

Informasi yang mendukung core issue

1. Contoh kasus atas pelanggaran kepatuhan APU PPT (misal *sanitised cases* atau tipologi penyalahgunaan PJK sebagai media TPPU/TPPT)

Dokumen Pendukung (OJK)

1. Data statistik tingkat kepatuhan PJK terhadap penerapan program APU PPT yang terkait *wire transfers*.

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

Targeted Financial Sanctions Relating To Terrorist Financing And Proliferation WMD

Konsep Jawaban (PJK)

1. Kebijakan internal dan mekanisme PJK terkait penanganan pemblokiran secara serta merta dan senjata pemusnah massal
Meliputi:
 - a. Pemeliharaan/pengkinian daftar
 - b. *Screening* berkala
 - c. Pemblokiran serta merta
 - d. Pelaporan TKM
 - e. Penatausahaan dokumen terkait pemblokiran serta merta dan laporan nihil
 - f. Pelarangan penyediaan Dana
..... (dll)
2. Kesesuaian kebijakan internal tersebut dengan POJK APU PPT
3. Penerapan kebijakan terkait *false positive*
4. Contoh efektivitas implementasi terkait penanganan DTTOT dan daftar proliferasi senjata pemusnah massal
5. Tingkat kepatuhan PJK terhadap penerapan kebijakan internal dan mekanisme dimaksud berdasarkan pengawasan internal

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur terkait penanganan daftar terduga teroris dan organisasi teroris (DTTOT) dan daftar proliferasi senjata pemusnah massal:
 - a. Pemeliharaan daftar
 - b. *Screening* berkala
 - c. Pemblokiran serta merta
 - d. Pelaporan TKM
 - e. Penatausahaan dokumen terkait pemblokiran serta merta dan laporan nihil
 - f. Pelarangan penyediaan Dana
2. Contoh efektivitas implementasi terkait penanganan DTTOT dan daftar proliferasi senjata pemusnah massal termasuk statistik pelaporan baik nihil maupun berita acara pemblokiran

4.4. How well do financial institutions and DNFBPs apply the enhanced or specific measures for:

targeted financial sanctions relating to terrorist financing and proliferation WMD

Konsep Jawaban (OJK)

1. Tingkat kepatuhan PJK terhadap penanganan pemblokiran secara serta merta dan senjata pemusnah massal (e.g. good, moderate, poor). Apabila dinilai moderate atau poor, agar dijelaskan penyebabnya disertai dengan data statistik..
2. Pedoman khusus terkait penerapan penanganan pemblokiran secara serta merta dan senjata pemusnah massal yang dikeluarkan LPP. Media yang digunakan oleh LPP dalam rangka menginformasikan pedoman dimaksud kepada PJK. Tingkat pemahaman PJK terkait ketentuan LPP mengenai penanganan menurut LPP

Informasi yang mendukung core issue

Contoh kasus atas pelanggaran kepatuhan APU PPT (misal *sanitised cases* atau tipologi penyalahgunaan PJK sebagai media TPPU/TPPT)

Dokumen Pendukung (OJK)

1. Data statistik tingkat kepatuhan PJK terhadap penerapan program APU PPT yang terkait penanganan DTTOT dan daftar proliferasi senjata pemusnah massal

4.5. To what extent do financial institutions and DNFBPs meet their reporting obligations on the suspected proceeds of crime and funds in support of terrorism? What are the practical measures to prevent tipping-off?

Konsep Jawaban (PJK)

1. Mekanisme dan tahapan pelaporan PJK ke PPATK
2. Mekanisme *redflag* yang dimiliki PJK saat ini (manual dan by system). Tindak lanjut atas temuan *redflag* tersebut.
3. Kriteria *redflag* yang dimiliki PJK saat ini. Faktor-faktor yang digunakan dalam menetapkan kriteria *red flag*.
4. Mekanisme identifikasi Transaksi Keuangan Mencurigakan (TKM) di PJK ?
5. Kegiatan apa saja yang dilakukan PJK dalam melakukan identifikasi TKM?
6. Informasi dari mana saja yang digunakan oleh PJK dalam rangka melakukan identifikasi TKM?
7. Pemanfaatan hasil penilaian risiko TPPU dan TPPT berdasarkan NRA, SRA dan *whitepapers* oleh PJK dalam rangka identifikasi TKM?
8. Pemanfaatan pedoman *redflag*, termasuk *newsletter* PPATK yang dikeluarkan dan diinformasikan oleh PPATK dan/atau LPP pada PJK dalam rangka meningkatkan kualitas penyampaian laporan TKM ke PPATK
9. Kebijakan dan prosedur untuk mencegah adanya *tipping off*.

4.5. To what extent do financial institutions and DNFBPs meet their reporting obligations on the suspected proceeds of crime and funds in support of terrorism? What are the practical measures to prevent tipping-off?

Konsep Jawaban (PJK)

Informasi yang mendukung core issue

1. Seberapa baik umpan balik (*feedback*) diberikan untuk membantu PJK dalam mendeteksi dan melaporkan transaksi yang mencurigakan.
2. Apakah kebijakan internal baik PJK dan grup terkait kewajiban pelaporan kepada PPATK memungkinkan *timely review* terhadap: (i) *complex or unusual transactions*; (ii) *potential STRs for reporting to the FIU*; and (iii) *potential false-positives*
3. Apakah LTKM yang dilaporkan memuat informasi yang lengkap, akurat dan memadai terkait dengan transaksi yang mencurigakan

Dokumen Pendukung (PJK)

1. Kebijakan dan prosedur terkait kewajiban pelaporan kepada PPATK
2. Contoh efektivitas implementasi terkait kewajiban pelaporan kepada PPATK termasuk informasi mengenai waktu rata-rata yang dibutuhkan untuk menganalisis transaksi yang mencurigakan sebelum dilaporkan sebagai LTKM
3. statistik jumlah LTKM yang dilaporkan kepada PPATK termasuk pengkategorian LTKM berdasarkan TPA berisiko tinggi.
4. kebijakan dan prosedur PJK untuk menghindari tipping off.

4.5. To what extent do financial institutions and DNFBPs meet their reporting obligations on the suspected proceeds of crime and funds in support of terrorism? What are the practical measures to prevent tipping-off?

Konsep Jawaban (OJK dan PPATK)

1. Tingkat kepatuhan penyampaian laporan oleh PJK ke PPATK. (penjelasan disertai dengan data statistik).
2. Tingkat kualitas laporan yang disampaikan oleh penyedia jasa keuangan ke PPATK.
3. Tingkat pemanfaatan laporan TKM oleh PPATK dalam melakukan analisis dan pemeriksaan. Mohon penjelasan dapat disertai dengan data statistik terkait jumlah TKM yang masuk dalam kategori high, medium, dan low?
4. Mekanisme feedback atas laporan TKM yang disampaikan oleh PJK.
5. Pedoman mekanisme dan tahapan pelaporan ke PPATK yang dikeluarkan PPATK dan/atau LPP. Apabila ada, diatur dalam peraturan apa dan media apakah yang digunakan oleh PPATK dan/atau LPP untuk mempublikasikan atau menginformasikan pedoman tersebut ke PJK?

Dokumen Pendukung (OJK dan PPATK)

1. Data statistik tingkat kepatuhan PJK terkait kewajiban pelaporan kepada PPATK.
2. Informasi terkait pelaporan LTKM sebagai berikut:
 - Jumlah LTKM yang dilaporkan dan nilai transaksinya
 - Jumlah dan proporsi LTKM dari berbagai sector
 - Jenis, sifat, dan tren pelaporan LTKM yang sesuai dengan risiko TPPU/TPPT

4.6. How well do financial institutions and DNFBPs apply internal controls and procedures (including at financial group level) to ensure compliance with AML/CFT requirements? To what extent are there legal or regulatory requirements (e.g., financial secrecy) impeding its implementation?

Konsep Jawaban (PJK)

1. Mekanisme dan kegiatan *internal control* di PJK (termasuk pelaksanaan pelatihan APU PPT secara bekesimbangan, *pre-employee screening*, dan *ongoing monitoring employee*). Apakah kebijakan internal tersebut sejalan dengan POJK APU PPT. Tingkat kepatuhan PJK terhadap penerapan kebijakan internal dan mekanisme tersebut berdasarkan pengawasan internal (Penjelasan dan data statistik contoh implementasi)
2. Mekanisme dan kegiatan *internal control* pada PJK yang dilakukan oleh konglomerasi keuangan terkait penerapan *AML/CFT requirement* baik berdasarkan peraturan perundang-undangan maupun kebijakan internal.
3. Mekanisme sharing informasi antara PJK dengan PJK lain yang masih dalam satu grup konglomerasi keuangan terkait penerapan *AML/CFT requirement*.
4. Kebijakan *internal control* di PJK yang memiliki korelasi dengan hasil penilaian risiko TPPU/TPPT berdasarkan dokumen NRA, SRA dan *whitepapers*.
5. Kendala implementasi penerapan program APU PPT (termasuk pada level grup) terkait dengan regulasi yang berlaku (misal ketentuan kerahasiaan).

4.6. How well do financial institutions and DNFBPs apply internal controls and procedures (including at financial group level) to ensure compliance with AML/CFT requirements? To what extent are there legal or regulatory requirements (e.g., financial secrecy) impeding its implementation?

Konsep Jawaban (PJK)

Informasi yang mendukung core issue

1. Mekanisme kebijakan dan prosedur internal terkait pemenuhan informasi yang diminta oleh otoritas yang berwenang dan data statistik waktu yang dibutuhkan untuk pemenuhannya,
2. Mekanisme komunikasi/diseminasi kebijakan dan prosedur internal kepada para Manajemen senior dan staf.
3. Tindakan perbaikan atau sanksi yang diambil oleh PJK saat ada pelanggaran terhadap kewajiban APU PPT
4. Mekanisme PJK dalam memastikan akses informasi APU PPT (termasuk pada grup) yang memadai oleh fungsi kepatuhan APU PPT di PJK masing-masing.

Dokumen Pendukung (PJK)

1. Frekuensi audit internal terkait APU PPT (termasuk dokumen yang membuktikan pelaksanaan audit internal tersebut).
2. Frekuensi audit internal terkait APU PPT pada level grup (termasuk dokumen yang membuktikan pelaksanaan audit internal tersebut).
3. Frekuensi dan kualitas pelatihan APU PPT (termasuk dokumen yang membuktikan pelaksanaan pelatihan tersebut, materi pelatihan, hasil pelatihan, dan dokumen lainnya yang membuktikan kualitas pelatihan)
4. Data statistik pemenuhan informasi yang diminta oleh otoritas berwenang termasuk informasi waktu yang dibutuhkan.
5. Data statistik tindakan perbaikan atau sanksi yang diambil oleh PJK saat ada pelanggaran terhadap kewajiban APU PPT.

4.6. How well do financial institutions and DNFBPs apply internal controls and procedures (including at financial group level) to ensure compliance with AML/CFT requirements? To what extent are there legal or regulatory requirements (e.g., financial secrecy) impeding its implementation?

Konsep Jawaban (OJK)

1. Tingkat kepatuhan penyedia jasa keuangan terhadap penerapan internal control (e.g. good, moderate, poor) per jenis penyedia jasa keuangan. Penyebabnya, dalam hal tingkat kepatuhan dimaksud moderate atau poor. (penjelasan dan data statistik).
2. Tindakan perbaikan atau sanksi apa yang diambil oleh pengawas terkait pelanggaran kewajiban APU PPT.

Dokumen Pendukung (OJK)

1. Data statistik tingkat kepatuhan PJK terkait kewajiban pelaporan kepada PPATK.
2. Data statistik pembinaan dan pengenaan sanksi administratif atas pelanggaran kewajiban APU PPT.

Agenda Pertemuan Persiapan MER Indonesia oleh FATF Tahun 2019/2020

Kegiatan	Pelaksanaan
Pengisian Kuesioner Efektivitas Implementasi (Immediate Outcome/IO)4 (Juni-November)	
• FGD Diseminasi template jawaban IO4	14 Juni 2019
• Pengumpulan jawaban IO4 (10hk)	1 Juli 2019
• Tentative Rapat konsolidasi jawaban per sektor	Awal Agustus 2019
• Rapat koordinasi pengisian IO4 Tahap 1 Identifikasi dokumen yang telah dikumpulkan (berdasarkan metodologi)	13 Agustus 2019
• Rapat koordinasi pengisian IO4 Tahap 2, pemeriksaan kualitas dokumen dan perumusan jawaban	20 Agustus 2019
• Rapat koordinasi pengisian IO4 Tahap 3, perumusan jawaban	27 Agustus 2019
• Rapat koordinasi pengisian IO4 Tahap 4, harmonisasi jawaban	3-Sep-19
• Konsinyering/FGD Finalisasi IO 4	10-Sep-19
• Penyampaian IO kepada PPATK	5 Oktober 2019
• Onsite Visit MER	Maret 2020 (TBC)
• Face to face Meeting	Agustus 2020 (TBC)

* Agenda rapat tentatif



Temuan Hasil Mutual Evaluation Review oleh APG

Penilaian *Technical Compliance*

R.1 - Assessing risk & applying risk-based approach	R.2 - National cooperation and coordination	R.3 - Money laundering offence	R.4 - Confiscation & provisional measures	R.5 - Terrorist financing offence	R.6 - Targeted financial sanctions - terrorism & terrorist financing
LC	LC	LC	LC	LC	PC
R.7 - Targeted financial sanctions - proliferation	R.8 - Non-profit organisations	R.9 - Financial institution secrecy laws	R.10 - Customer due diligence	R.11 - Record keeping	R.12 - Politically exposed persons
NC	LC	C	LC	LC	LC
R.13 - Correspondent banking	R.14 - Money or value transfer services	R.15 - New technologies	R.16 - Wire transfers	R.17 - Reliance on third parties	R.18 - Internal controls and foreign branches and subsidiaries
C	C	LC	LC	LC	C
R.19 - Higher-risk countries	R.20 - Reporting of suspicious transactions	R.21 - Tipping-off and confidentiality	R.22 - DNFBPs: Customer due diligence	R.23 - DNFBPs: Other measures	R.24 - Transparency & BO of legal persons
LC	C	LC	LC	LC	PC
R.25 - Transparency & BO of legal arrangements	R.26 - Regulation and supervision of financial institutions	R.27 - Powers of supervision	R.28 - Regulation and supervision of DNFBPs	R.29 - Financial intelligence units	R.30 - Responsibilities of law enforcement and investigative authorities
PC	LC	LC	PC	C	LC
R.31 - Powers of law enforcement and investigative authorities	R.32 - Cash couriers	R.33 - Statistics	R.34 - Guidance and feedback	R.35 - Sanctions	R.36 - International instruments
LC	LC	LC	LC	LC	LC
R.37 - Mutual legal assistance	R.38 - Mutual legal assistance: freezing and confiscation	R.39 - Extradition	R.40 - Other forms of international cooperation		
LC	LC	LC	LC		

<i>Technical Compliance</i>	
Compliant	6
Largely Compliant	29
Partially Compliant	4
Non-Compliant	1

Penilaian *Immediate Outcome*

IO.1 - Risk, policy and coordination	IO.2 - International cooperation	IO.3 - Supervision	IO.4 - Preventive measures	IO.5 - Legal persons and arrangements	IO.6 - Financial intelligence
Substantial	Substantial	Moderate	Moderate	Moderate	Substantial
IO.7 - ML investigation & prosecution	IO.8 - Confiscation	IO.9 - TF investigation & prosecution	IO.10 - TF preventive measures & financial sanctions	IO.11 - PF financial sanctions	
Moderate	Substantial	Substantial	Moderate	Low	

<i>Immediate Outcome</i>	
Substantial	5
Moderate	5
Low	1

IO.4; Rec.9-23

Banks, securities and insurance companies

- Understand the risks associated with their products, customer base and distribution channels;
- Understand the findings in the NRAs, SRAs and the recent white papers on taxation and TF.
- Understand higher risk customers such as PEPs and NPOs, and risks associated with the 37 geographic regions in Indonesia.

Non-bank FIs, such as financing companies

- Understanding of risks is limited to STR red flags, customer and geographic risks as identified in the NRA.
- Have not yet implemented a RBA.
- Understand higher risk customers such as PEPs.

Cascading

- Some FIs have adjusted their own risk ratings to reflect the white papers' amendments to the TF risk rating for NPOs and ML risk rating for taxation.
- Other FIs, particularly banks, regard these findings as only references for their own risk assessments, and update their internal risk ratings based on their own understanding of ML/TF risks, risk appetites and customer profiles.

NPO

- Some banks still consider them as high risk even though they are no longer rated high risk (now medium risk) in the white paper.*
- Banks only accept registered and/or incorporated NPOs by checking the registry of MLHR, MoHA, MoRA and other registries for verification.*
- For existing customers that were established before the re-registration of NPOs in 1998, banks will enhance their monitoring of those customers.*

IO.4.1

- In general, OJK-supervised FIs demonstrated a sound understanding of the requirements in the OJK AML/CFT Regulation, including on CDD, EDD, PEPs, STRs and TFS.
- By and large, the assessment team considers that banks exhibit a more sophisticated understanding of their ML/TF risks and AML/CFT obligations. This is significant given the banking sector accounts for 74% of the total assets of the financial sector in Indonesia.

IO.4; R.9-23

The banks, securities and insurance companies met during the onsite demonstrated their clear understanding and sound implementation of RBA.

- Have AML/CFT policies and procedures,
- Have developed action plans to refine their policies and procedures to mitigate risks identified in their own risk assessments and/or the NRAs and SRAs (taking the results of NRAs and SRAs into consideration)
- Have classified customers, products and distribution channels according to ML/FT risk levels.
- Have implemented EDD on higher risk customers and transactions identified in the NRA, such as PEPs, NPOs and housewives (typologies show housewives are commonly used as a front for ML).
- Undertake enhanced measures on certain transactions, such as international wire transfers with higher risk jurisdictions. For high risk customers, approval from bank senior officials for establishment of business is required, with more stringent and frequent transaction monitoring and customer data updating (at least once a year).
- **Banks are also not providing financial services to those entities on the UNSCR 1267 list, even if they have not been listed on the DTTOT sanctions list (there is a delay in UNSCR 1267 listed entities appearing in the DTTOT list).**

IO.4; R.9-23

The banks, securities and insurance companies

- Have sound CDD policies and procedures based on RBA.
- These FIs risk rate customers, and the levels of CDD and frequency of ongoing due diligence are based on the customers' risk profiles.
- Banks use E-KTP (Electronic ID) in performing CDD and they can conduct verification using the Population and Civil Registration System.
- For financial inclusion, banks also implement simplified CDD measures for customers without E-KTPs, but have some risk mitigation measures, such as limits on saving or transaction amounts. Examples of basic savings accounts include TabunganKu (no frills saving).

Other FIs

- They have basic risk mitigation measures, which are sufficient for their risk profiles.
- Financing companies are still in the development stage of RBA.
- Financing companies conduct a preliminary analysis of customers and transactions taking into account the highest risk offences and red flags identified in the NRA.
- Financing companies undertake risk mitigation measures, such as rejecting business relationship or filing an STR.

IO4.4; R.10; R.24; R.25

- For BO measures, banks pay special attention to higher-risk customers, such as housewives and students, to verify whether they are acting on behalf of another person(s), and adopt EDD, if applicable.
- With regards to BO of legal persons, banks undertake reasonable measures to identify the BO, including:
 - ✓ accessing the MLHR registry,
 - ✓ their own AML/CFT system,
 - ✓ commercial providers,
 - ✓ declarations from the customers regarding BO (s)
 - ✓ online searches,
 - ✓ other available tools, and
 - ✓ onsite interviews, if needed.
- FIs consider it very challenging to identify the ultimate BO in certain circumstances because of the layers of legal ownership.
- Based on the supervision results of OJK, FIs have suspended transactions in the event of any doubts regarding the BOs' identities. All persons during the on boarding stage must sign and declare whether or not they are the BO (s).
- **This is used also to identify persons that may be trustees for foreign trusts.**

IO.4.3; IO.4.4; R.10; R.11

The banks, securities and insurance companies

- had rejected, and would continue to reject, business relationships or transactions with customers if, and when, there is a failure to complete CDD/EDD (including BO), or have reasonable suspicion that funds are related to the proceeds of crimes, or the customer is on the DTTOT sanctions list.

Other FIs

- Financing companies are still in the process of using E-KTP in performing CDD. Financing companies have a policy of refusing business relationships with prospective customers that are perpetrators of crimes, or in the sanction lists of terrorists, terrorist organizations or proliferation financing.

All FIs have policies and procedures to maintain all transaction records, CDD documents and STR information for at least five years.

IO4.4; R.12

- Have a sound understanding and implementation of measures on PEPs.
- EDD for PEPs is generally sound and adequate as evidenced by OJK's compliance ratings.
- Have mechanisms to identify PEPs in most circumstances through their screening processes and databases to implement EDD.
- The information of their PEPs database is mainly from KPK (Government Official Wealth Report), PPATK (AML-CFT news), General Election Commission Website, law enforcement agencies, commercial databases, media and customers' statement.
- Updates regularly on PEPs' data.

- Both FIs and OJK consider identifying PEPs to be very challenging.
- Some FIs met during the onsite recommended that the government create a centralized database because it has more detailed information, at least for domestic PEPs. PPATK is now considering establishing a database on domestic PEPs. This will help FIs improve compliance with PEPs obligations. For overseas PEPs, they use well-known, international commercial service providers.

IO4.4; R.16

- In general, banks are implementing correspondent banking requirements consistent with the FATF standards as demonstrated in OJK's internal compliance rating for banks.
- As stated by OJK, banks have conducted due diligence process by using any relevant external sources to ensure the respondent banks have adopted and implemented the adequate AML/CFT controls. Supervisors have not experienced any cases involving cross-border correspondent banking with any shell banks.
- During onsite meetings, banks confirmed that they submit questionnaires to all respondent banks, adopt necessary CDD measures or EDD measures for higher risk banks.
- Banks met during the onsite demonstrated a clear understanding of wire transfer rules. In cases of incomplete originator or beneficiary information, banks have policies and procedures to reject the transaction (s). Banks also report all cross-border transfers (IFTIs) to PPATK through the GRIPS system.

IO.4.4; R.15

Banks

- Banks have introduced new products, such as electronic banking and smart apps.
- Before launching the new technology or new product, banks have internal policies and procedures to conduct risk assessments, including ML/TF risk mitigation.
- In terms of risk mitigation, for example, banks determine threshold in every e-banking transaction.

Securities companies

- Securities companies have the similar policies and procedures as above.
- Some securities companies will set up a team with compliance officers to assess the ML/TF risks of new products such as online transactions.

NBFI

- The use of new technology in the insurance sector is e-app (online submission of application forms) and digital products.
- Insurance companies have assessed products before launching as well.
- However, financing companies are still in the process of developing internal policies regarding new technologies.

IO.4.4; IO.10; IO.11

- Banks are conducting automated screening against the DTTOT List, relevant UN Sanctions Lists, and other sanctions lists (e.g. OFAC SDN List), of all transactions and all customers.
 - Several of the largest banks have frozen funds of individuals or entities on the DTTOT List, and have filed freezing reports with PPATK. However, this did not occur until the Joint Regulations of 2015 were implemented, and 20 of the Indonesian individuals or entities had been on the UN listed for over 10 years before that.
 - Overall banks, securities and insurance companies have more effective and advanced mechanisms of targeted financial sanctions in place compared to other FIs.
 - While some Indonesian banks indicated they would not provide financial services to an individual or entity listed on the DTTOT List, there is no legal requirement in Indonesia to do so.
- Screening outside of the banking, securities and insurance sectors is mixed with larger entities conducting automated screening and small entities conducting manual screening of new customers.
 - These entities were more reliant on updates to the DTTOT List, as they did not routinely screen against the relevant UN Sanctions Lists.
 - Neither non-bank financial institutions nor DNFBPs have frozen funds of individuals or entities on the DTTOT List.
 - Other Indonesian FIs and DNFBPs were less clear about their obligations on the provision of funds or other financial services to designated individuals or entities, suggesting that banks were not doing this from fear of enforcement action by Indonesian authorities.

IO.4.4;

The compliance level of FIs with respect to higher-risk countries identified by FATF is sound.

- ✓ FIs are generally aware of the risks with dealing with high-risk countries identified by FATF and undertake some counter measures according to their AML/CFT policies and procedures.
- ✓ Some banks have their own country risk rating, take actions to terminate business relationship with customers from high risk countries, and file STRs.
- ✓ Insurance companies also reject customers who come from the identified high-risk countries.

11. Suspicious Transaction Reporting (STR) Obligation

IO 4.5, R 20

The general compliance level with STR obligations is good for FIs.

- ✓ The FIU is receiving STRs, consistent with the make-up of Indonesia's financial sector, that are of good quality and submitted on time.
- ✓ There was an increase in STRs submitted by banks and the non-banking sector from 2013 to 2017. Although there was a decrease in the number STRs submitted between 2015 and 2016 across all reporting groups, since 2014 there has been a year-on-year improvement in on-time reporting and quality of STR reporting as evident from verbal reports by PPATK and an increase in the number of STRs scoring high on automated STR pre-analysis criteria.
- ✓ The banking sector submitted ~53% of all STRs made between 2013 and 2017, which is consistent with the make-up of Indonesia's financial sector given that the quality of STR reporting by banks is significantly better than from the non-banking sector. **Notwithstanding, it is not clear whether there is satisfactory reporting among all banks in the sector**
- ✓ Banks have developed their own red flags, scenarios and alerts drawing on inputs from risk assessments (NRA, SRA); competent authorities such as PPATK, supervisors, law enforcement agencies; and other external and internal sources.
- ✓ Large banks have relatively sophisticated IT systems in place for transaction monitoring and alerts.

Notes: Jumlah STR terkait dengan TPA berisiko tinggi?

IO 4.6, IO 3.3 R.18

Internal AML/CFT Controls

- Have designated a senior AML/CFT compliance officer who reports directly to the board of directors and board of commissioners.
- Have provided various AML/CFT training and capacity building to employees to raise AML/CFT awareness, and promote AML/CFT compliance.

Group-wide AML/CFT

- To implement integrated risk management and group-wide AML/CFT mechanism, some financial conglomerates, led by banks, have set up risk committees to discuss group-wide risk assessments, guidelines for all subsidiaries, ML/TF typologies, consolidated group profile, compliance among all subsidiaries, and OJK reporting.

1. Understanding ML/TF Risk

- Melakukan *update* penilaian risiko berdasarkan informasi terkini dan mitigasi risiko berdasarkan informasi terkini (*updating National Risk Assessment (NRA), Sectoral Risk Assessment (SRA), white paper*), termasuk pada informasi terkini dari lembaga internasional (*high-risk countries, tipologi, new technologies*), serta tidak cukup hanya memahami *redflag*.
- Menerapkan mitigasi risiko secara efektif terhadap nasabah yang berbentuk NPO → **high risk..????**
- Menerapkan mitigasi risiko secara efektif terhadap nasabah yang berbentuk PEP (termasuk *update database* PEP dan *close associate/family member*)

2. Understanding Obligation

Pemahaman kewajiban penerapan program APU PPT (khususnya pada 5 poin utama yaitu: CDD, EDD, PEPs, STR dan TFS)

3. Implementasi RBA

- Tetap menerapkan program APU PPT berbasis risiko (bukan lagi dalam tahap awal atau pengembangan, namun sudah terimplementasi secara penuh)
- PJK pro aktif dalam melakukan *updating* atas TFS list dan melakukan mitigasi risiko.
- Fokus pada *high-risk area* (TFS list, PEP, NPO, *high risk jurisdiction, non-face to face* CDD)
- Penerapan APU PPT pada *low risk area* (*simplified CDD, financial inclusion*)

4. Beneficial Owner

- Proses identifikasi dan verifikasi terhadap BO dilakukan dengan langkah-langkah yang kreatif.
- Melakukan proses identifikasi BO atas *nasabah legal arrangement* termasuk *foreign trust*.

5. CDD dan record Keeping

Contoh efektivitas penerapan CDD dan *record keeping*, misal penolakan dan pemutusan hubungan usaha

6. PEPs

Langkah-langkah kreatif untuk melakukan *updating* database PEP.

7. Wire Transfer

Fokus pada CDD yang efektif terhadap informasi dalam *wire transfer* yang tidak lengkap, dan kewajiban pelaporan LTKL.

8. New Technologies

Langkah-langkah PJK terkait *new technologies* (termasuk FinTech)

9. High Risk Countries

Menerapkan mitigasi risiko yang efektif terhadap *high risk countries* termasuk *updatingnya*

10. Targeted Financial Sanctions (TFS)

- Pro aktif dalam melakukan *updating*
- Kecepatan proses menindaklanjuti TFS (DTTOT, proliferasi)- **manual/ automatic ????**
- Implementasi larangan penyediaan produk dan jasa kepada pihak tersebut

11. STR Obligation

- Kualitas STR
- Fokus STR pada Tindak Pidana Asal berisiko tinggi (kuantitas dan kualitas)

12. Internal AML/CFT Control and Group wide

Cakupan pertukaran informasi dalam group wide



Terima Kasih

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