

# TRANSPORTATION YOU CAN RELY ON

P67 – Money Laundering Policy

01.08.2024



## P-67 Money Laundering Policy

### This policy applies to all employees of McLanachan Transport Ltd

The Senior Management Team will, periodically, assess the risk to McLanachan Transport Ltd of contravening the anti-money laundering legislation together with the adequacy and effectiveness of the Anti-Money Laundering Policy, and review and amend procedures in light of such assessments;

McLanachan Transport Ltd will ensure that all workers are made aware of the law relating to money laundering and will arrange targeted, ongoing training to all workers so that all workers are familiar with their legal responsibilities since serious criminal sanctions may be imposed for breaches of the legislation;

#### Prevention of Money Laundering

i) Limits on cash payments

ii) The exercise of customer due diligence:

Forms an ongoing business relationship with a client;

Undertakes an occasional transaction amounting to £11,000 or more whether carried out in a single operation or several linked ones;

Suspects money laundering or terrorist financing; or

Doubts the veracity or adequacy of information previously obtained for the purposes of client identification or verification.

- In such instances customer due diligence measures must be followed before the establishment of the relationship or carrying out of the transaction;
- Customer due diligence requires:
  - a) Identifying the customer and verifying the customer's identity, address and position in the company on the basis of documents, passport, website, data or information obtained from a reliable and independent source;
  - b) Conducting an on-line search via Companies House to confirm the nature and business of the customer/donor and confirm the identities of any directors;
  - c) Identifying, where there is a beneficial owner who is not the customer, the beneficial owner; and taking adequate measures, on a risk-sensitive basis, to verify his/her identity so that the relevant person is satisfied that she/he knows who the beneficial owner is, including, in the case of a legal person, trust or similar legal arrangement, measures to understand the ownership and control structure of the person, trust or arrangement; and



d) Obtaining information on the purpose and intended nature of the business relationship.

- The requirement for customer due diligence applies immediately for new customers and should be applied on a risk sensitive basis for existing customers. Ongoing customer due diligence must also be carried out during the life of a business relationship but should be proportionate to the risk of money laundering and terrorist funding, based on the officer's knowledge of the customer and a regular scrutiny of the transactions involved;
- If, at any time, it is suspected that a client or customer for whom McLanachan Transport Ltd is currently carrying out, or is planning to carry out, a regulated activity and is carrying out money laundering or terrorist financing, or has lied about their identity then this must be reported
- Enhanced customer due diligence, which could include any additional documentation, data or information that will confirm the customer's identity and/or the source of the funds to be used in the business relationship/transaction, must be carried out with prior consultation.



## Disclosure to the Leadership team

- i) Suspicions regarding money laundering activity must be disclosed by any worker with such suspicions as soon as practicable;
- ii) The disclosure must be on the same day as the information coming to the worker's attention;
- iii) Such suspicions would be about such activity by others or concern that the worker him/herself might be involved;
- iv) Failure to make a disclosure may render the worker liable to prosecution;
- v) Disclosure should include as much of the following information as possible:
  - Full details of the people involved (including the worker, if relevant), such as name, date of birth, company names, directorships, and contact details;
  - Full details of the property involved and its whereabouts (if known);
  - Full details of the nature of involvement;
  - The types of money laundering activity involved;
  - The dates of such activities, including whether the activities have happened, are ongoing or are imminent;
  - The location of the activities;
  - How the activities were undertaken;
  - The likely amount of money/assets involved;
  - The reason/s for the suspicions;
  - Any other relevant information.

Immediately following disclosure, the worker must:

- Follow all directions;
- Not make any further enquiries into the matter themselves;
- Not discuss the matter with anyone else including their own line manager;
- Not voice any suspicions to the person(s) suspected of money laundering, even if Serious Organised Crime Agency (SOCA) has given consent to a particular transaction proceeding, otherwise a criminal offence of “tipping off” may be committed;
- Co-operate with the company and the authorities during any subsequent money laundering investigation.



## Action to be taken following a disclosure

i) Where there is a possibility that money laundering is taking place and a contract is involved, no action will be taken and the contract will continue;

- Open a confidential report on which to note:
- The date on which the disclosure is made to her/him;

The Leadership Team will gather together all information in order to make a sound judgment as to whether there are reasonable grounds for knowledge or suspicion of money laundering.

This will include:

- Reviewing other transaction patterns and volumes;
- The length of any business relationship involved;
- The number of any one-off transactions and linked one-off transactions;
- The identification evidence held is taken into account in deciding whether a report to SOCA is required.
- Follow-up discussion with the worker making the disclosure.
- Once we have evaluated the disclosure report and any other relevant information, s/he will make a timely determination as to whether:
- There is actual or suspected money laundering taking place;
- There are reasonable grounds to know or suspect that this is the case;
- S/he knows the identity of the money launderer or the whereabouts of the property involved or these things could be identified or whether the information may assist in such identification; and
- Whether s/he needs to seek consent from SOCA for a particular transaction to proceed.

Where it concludes that there are no reasonable grounds to suspect money laundering then s/he shall mark the confidential file accordingly and give his/her consent for any ongoing or imminent transaction(s) to proceed;

McLanachan Transport Ltd commits a criminal offence if s/he knows or suspects, or has reasonable grounds to do so, through a disclosure being made to her/him, that another person is engaged in money laundering of whom s/he knows the identity or the whereabouts of laundered property in consequence of the disclosure, that the person or property's whereabouts can be identified from that information, or s/he believes, or it is reasonable to expect her/him to believe, that the information will or may assist in such identification and s/he does not disclose this as soon as practicable to SOCA;



- Consider if there is a reasonable excuse for non-disclosure such as a lawyer claiming legal professional privilege for non-disclosure;
- Liaise with our legal adviser to consider if there is a reasonable excuse for non-disclosure to SOCA;
- If advised that there is no reasonable excuse, disclose the matter as soon as practicable to SOCA on the standard report form and in the prescribed manner, with accompanying relevant supporting documents; or
- If advised that there is a reasonable excuse, make a note on the confidential report and immediately give consent for any ongoing or imminent transactions to proceed.
- Will seek the consent of the SOCA for the worker to continue in that activity;
- Provide SOCA with any deadlines for giving such consent, such as a contract completion date;
- Remind the worker of the importance of not 'tipping-off' anyone else involved in that activity;
- Remind the worker not to discuss the situation with anyone else.

ix) Where consent is required from SOCA for a transaction to proceed, then the transaction(s) in question must not be undertaken or completed until SOCA has specifically given consent, or there is deemed consent through the expiration of the relevant time limits without objection from SOCA;

x) Keep appropriate records on the confidential file and make no record of any disclosure on a worker's personal file;

**Approved by:**

Damian McLanachan

Managing Director

McLanachan Transport

Date: 01.08.2024