



# Shufti

## Philippines - AML KYC Regulations

### Document History

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**Disclaimer:** Neither Shufti Pro nor the authors of this document shall be held responsible, liable or accountable for the contents of this document. The responsibility to comply with AML - KYC regulations lies with the Client. Achieving full compliance with legal obligations requires a thorough analysis of the specific situation, organizational requirements, and regulatory practices. The information provided in this document should be seen as an overview of requirements and measures towards conducting proper and satisfactory Identity Verification procedures. This document suggests general measures in line with recommendations, resources, or procedures provided by relevant laws and authorities to support identity verification requirements. The mere reference to or reliance placed on this document alone does not constitute a warranty of any system nor does it guarantee legal compliance. It remains the sole responsibility of the Client to comply with its legal obligations.

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## 1. Introduction

The Philippines AML/CFT legislative framework is set out in the Republic Act No.9160, also known as Anti Money Laundering Act of 2001. The Philippines' Anti Money Laundering laws and regulations (as amended) lay down guidelines to protect and preserve the integrity of the Philippine financial system to ensure that the Philippines shall not be used as a money laundering site for the proceeds of any unlawful activity. This framework includes the application of a risk-based approach, customer due diligence (“CDD”) measures, reporting of suspicious transactions, policies and procedures, record keeping and training.

## 2. Scope

The ‘Philippines- AML KYC Regulations’ report may be used as a reference to highlight information from the Philippines's ‘*Anti-Money Laundering Act of 2001, as amended*’.

Under the guidelines from the Anti-Money Laundering Council (AMLC), Central Bank of the Philippines and the aforementioned Act(s), this document highlights the necessary requirements for AML and KYC procedures, in particular, Identity Verification required in the Philippines. These requirements are approximated from relevant information/laws/directives from the aforementioned document.

## 3. Definitions

- **Client**: Shufti Pro’s customer is referred to as the Client.
- **Customer**: The client’s customer whose subject to the KYC - AML checks.
- **End-user**: The client’s customer is referred to as the end-user but from Shufti Pro’s perspective.
- **Document Verification**: The process of verifying the authenticity of a government-issued identity document.
- **Identity Verification**: The process of verifying the identity of the client’s customers.
- **Proof of Identity**: Any government-issued identity document that can be used to identify an individual (natural person).

- **EDD:** Enhanced Due Diligence (EDD) is a process that executes a greater level of scrutiny related to potential business relationships.
- **Third-Party Diligence:** Outsourcing of the due diligence process to an external party by the Client who is originally responsible for carrying out due diligence activities.
- **PEP:** Politically Exposed Person (PEP) is a person with a higher risk for potential involvement in bribery/corruption.
- **Due Diligence:** Refers to the measures taken to mitigate risk before entering into an agreement or carrying out a financial transaction with another party.

#### 4. References

- [Republic Act No. 9160 An Act Defining The Crime Of Money Laundering, Providing Penalties Therefor And For Other Purposes](#)
- [AN ACT FURTHER STRENGTHENING THE ANTI-MONEY LAUNDERING LAW, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE “ANTI-MONEY LAUNDERING ACT OF 2001”](#)
- [2018 Implementing Rules and Regulations of Republic Act No. 9160, Otherwise Known as the Anti Money Laundering Act of 2001, As Amended](#)
- [REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9160, AS AMENDED BY REPUBLIC ACT NO. 9194 AND REPUBLIC ACT NO. 10167](#)

#### 5. Due Diligence Requirements

##### 5.1. Identity Verification Requirements

As per the requirements of Philippine's regulations, these are the following ID attributes from official documents and other information required for the purpose of identifying a natural person (Individual).

- Full Name;
- Address;
- Sex;
- Date and place of birth;
- Citizenship or Nationality;

- Contact number or information, if any;
- Specimen signature or Biometric information.

## **5.2. Compliant CDD Methods**

We (Shufti Pro) may apply one or more of the following measures at the request of the Client to perform Identity Verification on its behalf. Where an End-user is an individual, who does not present himself to the Client for verification in physical presence.

- 5.2.1. Shufti Pro shall perform verification of the End-user's identity on the basis of documents that are highlighted in 5.3. These documents provide reasonable reliability to the confirmation of the identity in the Philippines. Shufti Pro shall ensure that documents being utilised are photo-based biometric identification documents that suffice requirements for Identity Verification.
- 5.2.2. Shufti Pro can also perform verification of the End-user's identity through a real-time audio-video transmission, where a live, interactive video session is carried out between an Identification Expert and the End-user. During this session, the End-user will be asked to show their identity documents. The End-user will also be asked to perform some random gestures and answer some questions as a part of a liveness check. An obliged entity would have the liberty to substitute the Identification Expert to be one of their own rather than use Shufti Pro's.
- 5.2.3. For the purpose of verifying the End-user's identity, Shufti Pro shall also verify the documents that are submitted. We utilise our specialised Document Verification service to perform checks on the authenticity of the document. This includes checks on security features such as holograms, tapered/crumpled edges, doctored elements, form inconsistencies, document expiration, MRZ, reflected colours and microprinting.

## **5.3. Documents Required for Verification**

The following documents are considered in Philippines as Proof of Identity:

### **Identity Verification**

- Phil-ID

- Other identification documents issued by the Government of the Republic of the Philippines, including its political subdivisions, agencies, and instrumentalities; and
- Other identification documents that can be verified using reliable, independent source documents, data or information.

### **Address Verification**

The following documents are considered as proof of address:

- A current utility bill (such as gas, electricity, telephone or mobile phone bill);
- A document issued by a government department that shows the End-user's address;
- A bank statement (no older than 3 months that shows the End-user's address).

### **5.4. Timing of Verification**

Identity Verification is not limited to a one-time, one instance process. In fact, it is required in multiple instances as per regulations. The application and choice of when to deploy Identity Verification procedures depend on your requirements and its conveyance to Shufti Pro.

You are to pursue Identity Verification when you onboard a new Customer. If you are dealing with transaction data, you should apply Identity Verification as per the monetary thresholds defined in Philippines's regulations. In other instances, Identity Verification becomes more important to employ if you face higher risks from your Customers. A high risk situation would be any instance where an Individual might represent above normal exposure of money laundering related threats to you.

## **6. Politically Exposed Persons and EDD Measures**

As per the Enhanced Due Diligence requirements under Philippines's regulations, you are required to determine if your Customer is a Politically Exposed Person, holds a public office, or exhibits a higher risk profile. In order to fulfil your obligations, Shufti Pro provides you its *AML Screening service*. The service screens an individual's selected ID attributes of *Name* and *DOB* against watchlists of global regulatory authorities, foreign and domestic databases, compromised PEPs and sanctioned individuals.

The service highlights the category of the PEP based on the degree of risks they pose and also any immediate family member, or a close associate of the PEP.

You may utilise such services as per your requirements. This includes before or after establishing a relationship with your Customer.

#### **7. Reliance on External Services**

Philippines's regulations state that you may seek the services of a third party to apply measures of due diligence. Regulations also require you to collect all such data (Due Diligence Information) from the third party, without undue delay. In this scenario, we will be the external third-party service provider to you.

Philippines' regulations state that you, regardless of reliance on a third party, remain liable for maintaining all such compliance and fulfilling AML and KYC obligations.

#### **8. Record Retention**

As per the Philippines' regulations, you are required to retain data for not less than five (5) years. These are a part of your AML and KYC obligations for due diligence. In the case where this information is processed, collected and managed by a relevant third-party, you are liable to collect all such necessary information(Due Diligence Data) from the third party without undue delay.