

INFORMATIVE ALERT

UIF REGULATES TRADERS OF METALS AND PRECIOUS STONES

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On June 28, 2024, the Financial Investigation Unit (“UIF”) approved Administrative Resolution No. UIF/29/2024 (“RA 29/2024”) through which, among others:

(1) designates as obligated subjects natural and/or legal persons, national and/or foreign, that commercialize metals and precious stones;

(2) approves the “Specific Instructions for Designated Non-Financial Activities and Professions – APNFD, with a Risk Management-Based Approach against Money Laundering, Financing of Terrorism and Financing of the Proliferation of Weapons of Mass Destruction (AML/FT and FPADM)” (the “Instructive”); and

(3) establishes the National Service for the Registration and Control of the Marketing of Minerals and Metals – SERANECOM as the supervisor of the new obligated subjects.

New Obligations

The inclusion of metal and precious stones traders as obliged subjects implies that they will be obliged, among others, to:

- (a) Register with the UIF as an Obligated Subject.
- (b) Designate a Responsible Officer in charge of ensuring compliance with the Instructive.
- (c) Implement an internal manual containing different policies and procedures for the management of AML/FT and FPADM risks.
- (d) Report suspicious transactions to the UIF.
- (e) Conduct internal training on current regulations and other related topics.
- (f) Submit an internal audit report to the UIF every two years.

Validity and implementation period

RA 29/2024 is already fully in force and established a period of 90 calendar days from its publication for metal and precious stone traders to prepare their internal manuals.

Sanctions regime

RA 29/2024 also states that non-compliance will be sanctioned in accordance with current regulations. However, there is still no specific sanctioning regime for this sector, which must be established by SERANECOM as the designated supervisor of the sector.

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