

## **PRESENTATION TO AUTHORISED DEALERS**

#### ENHANCED DUE DILIGENCE ON MONITORING, COMPLIANCE AND REPORTING BY AUTHORSED DEALERS

By

## ECONOMICS DEPARTMENT BANK OF PAPUA NEW GUINEA

DECEMBER 2023



## **OUTLINE OF PRESENTATION**

- Part 1 Objectives of Presentation
- Part 2 General Guidance on Performing Compliance Checks
- Part 3 Purpose of Compliance Checks
- Part 4 Taxation Clearance Requirements
- Part 5 Foreign Exchange Manuals
- Part 6 Central Bank Approvals
- Part 7 Compliance Checks for Inflows
- Part 8 Compliance Checks for Outflows
- Part 9 Summary and Way Forward



### **PART 1: OBJECTIVES**

<b>Objective 1</b>	Remind Authorised Dealers of their Responsibility
Objective 2	Remind Authorised Dealers to Follow Guidance and Perform Compliance Checks



## PART 2: RESPONSIBILITY OF AUTHORISED DEALERS

ROLE –	Have Delegated Responsibility of Assess and Process Foreign Exchange Transactions
Number	General Guidance on Performing Compliance Checks
1	All Supporting Documents must be submitted and Assessed
2	Consistency Checks Across All Sources of Documents Must be Done
3	Lead Checks must be Completed
4	Ownership and Title must be clearly Established
5	Ultimate Beneficiary must be clearly Established
6	Tax Haven Transactions Must Not be Processed
7	Compliance with BPNG Approvals & Conditions must be Checked
8	Compliance with Taxation Requirements must be Checked
9	IPA Requirements must Checked & Completed



## PART 3: PURPOSE OF COMPLIANCE CHECKS

Purpose 1	Ensure Reliability of Data is Not Compromised for Policy and Compliance Functions of the Central Bank	
Purpose 2	Foreign Exchange Reserves are Managed in a Sustainable Manner and Used for the Development of Papua New Guinea	



## **PART 4: TAXATION CLEARANCE REQUIREMENTS**

IRC Approval	Approval Form	When Required?
Taxation Clearance Certificate (TCC)	TCC Form	Making a Remittance that is Subject to Production of a TCC
Remittance Requirements	TCC Required	When Required?
Any Amount	Yes	When the Annual Cumulative Limit of K500,000.00 has been Exceeded
Amount over K500,000.00	Yes	A Remittance Amount Exceeding K500,000.00
Amount below K500,000.00	No	<ul> <li>TCC is Not Required</li> <li>Annual Cumulative Limit of K500,000.00 has Not been Exceeded</li> </ul>
Tax Haven Remittance	Yes	Any amount of Remittance for Any Purpose
Non-Tax Haven Remittance	Yes	When the K500,000.00 Annual Cumulative Limit has been Exceeded



### **PART 5: FOREIGN EXCHANGE MANUALS**

#### COMPLIANCE WITH EXISTING FOREIGN EXCHANGE MANUALS

MANUAL, SUPPORTING DOCUMENT & REQUIREMENTD AND CHECK			
Manual	Requirements & Supporting Document	Check	
Foreign Exchange Manual	<ul> <li>List FE Notices and Requirements</li> <li>Reference for Central Bank Approvals</li> <li>List of BOP Forms and When to Complete Them</li> <li>Lists Supporting Documents</li> </ul>	<ul> <li>Ensure Consistency Checks are Completed across All Sources of Data and Information for a Transaction</li> <li>Ensure Compliance with All Requirements of a Transaction</li> <li>Ensure All Requirements set out in All Three Manuals are Complied with</li> </ul>	
Summary Foreign Exchange Guidelines	<ul> <li>Summary of Reporting Requirements</li> <li>Summary of Compliance Requirements</li> <li>Reference for Central Bank Approvals</li> <li>Summary of Reporting Forms</li> <li>List Supporting Documents</li> </ul>	Same as for Foreign Exchange Manual	
Foreign Exchange Reporting Framework	<ul> <li>Has Detailed Guidance and Process</li> <li>List All Supporting Documents Required</li> <li>For Sourcing of Information and Completion of Relevant BOP Forms</li> </ul>	Same as for Foreign Exchange Manual	



#### **PART 6: CENTRAL BANK APPROVALS**

Approval	Approval Form	When Required?
Gold Export Licence	Letter	Export of Gold and Silver (Precious Metals)
Approval to Export Precious Metals	Form-G	Prior to Shipment of Precious Metals
Approval of Non-Resident Guarantee	Form-G1	Issuance of Guarantees in Favour of a Non- Resident
Foreign Currency Account (FCA) Approval	Letter	Opening a FCA in PNG or Abroad
Approval for Domestic Contract	Letter	Two or more Residents enter into a Contract Denominated in Foreign Currency
Approval to Remove or Send Physical Currency	Form-C1	Removal of Physical Currency in Notes and Coins exceeding K20,000.00 (or Foreign Currency Equivalent)



#### **PART 7: INFLOWS**

PURPOSE, SUPPORTING DOCUMENT AND CHECK		
Purpose	Supporting Document	Check
Export Receipt	<ul> <li>Sale and Purchase Agreement</li> <li>Commercial Invoice</li> <li>Customs Form 15 &amp; Form-G</li> <li>BOP Form-X</li> <li>Tax Registration</li> </ul>	<ul> <li>Business</li> <li>Exporter</li> <li>Importer</li> <li>Term (FOB)</li> <li>Form 15 Number</li> <li>Country</li> <li>Currency</li> <li>IPA Number</li> <li>IPA Number<!--</td--></li></ul>
Transfer from Offshore Account	<ul> <li>BPNG Approval to be Produced</li> <li>BOP Form-R2</li> <li>Tax Registration &amp; Form-G</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>IPA Number</li> <li>Recipient</li> <li>Currency</li> <li>Tax Number</li> <li>Sender</li> <li>Value</li> </ul>
	> Exporter	Request for Supporting Documents



## PART 7: INFLOWS (CONT'D)

PURPOSE, SUPPORTING DOCUMENT AND CHECK		
Purpose	Supporting Document	Check
Loan Drawdown	<ul> <li>Loan Agreement</li> <li>Credit Note or Drawdown Notice</li> <li>BOP Form-LA &amp; Form-L1</li> <li>Tax Registration</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Country</li> <li>IPA Number</li> <li>Tax Number</li> <li>Sender</li> <li>Value</li> <li>BPNG Approval</li> </ul>
Loan Interest Receipt	<ul> <li>Loan Agreement</li> <li>BOP Form-LB &amp; Form-L2(B)</li> <li>Tax Registration</li> </ul>	Same as Loan Drawdown
Equity Investment	<ul> <li>Equity Agreement</li> <li>BOP Form-V1</li> <li>Tax Registration</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Country</li> <li>Currency</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>
Dividend Receipt	<ul> <li>BOP Form –R2</li> <li>Tax Registration</li> </ul>	Same as Equity Investment
Sale or Liquidation of Investment	<ul> <li>BOP Form –V4</li> <li>Tax Registration</li> </ul>	Same as Equity Investment



PURPOSE, SUPPORTING DOCUMENT AND CHECK		
Purpose	Supporting Document	Check
Import Payments	<ul> <li>Sale and Purchase Agreement</li> <li>Commercial Invoice</li> <li>Customs Form 15/Bill of Lading</li> <li>BOP Form-M</li> <li>Tax Registration</li> </ul>	<ul> <li>Business</li> <li>Exporter</li> <li>Importer</li> <li>Term (FOB)</li> <li>Form 15 Number</li> <li>Country</li> <li>C</li></ul>
Transfer to Offshore Account	<ul> <li>BPNG Approval to be Produced</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Country</li> <li>Currency</li> <li>IPA Number</li> <li>Tax Number</li> </ul>
	Importer	Request for Supporting Documents
Business Payment	<ul> <li>Contract</li> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Currency</li> <li>Value</li> <li>BPNG Approval</li> </ul>
Lease Payment	Same as Business Payment	Same checks as Business Payment
Insurance Payment	<ul> <li>Cover Policy</li> <li>Commercial Invoice &amp; Form-R1</li> <li>Broker Authorisation &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Names of Parties</li> <li>Name of Broker</li> <li>Value</li> <li>BPNG Approval</li> </ul>



## PART 8: OUTFLOWS (CONT'D)

PURPOSE, SUPPORTING DOCUMENT AND CHECK		
Purpose	Supporting Document	Check
Transfer to JV Account	<ul> <li>BPNG Approval to be Produced</li> <li>BOP Form-R1</li> <li>Tax Registration</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Currency</li> <li>Value</li> <li>Tax Haven</li> <li>IPA Number</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>
	> Exporter	Request for Supporting Documents
Communication Payment	<ul> <li>Contract</li> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Country</li> <li>Currency</li> <li>Value</li> <li>Tax Haven</li> <li>IPA Number</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>
Education Payment	<ul> <li>Letter from School or Sponsor</li> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Currency</li> <li>Value</li> <li>BPNG Approval</li> </ul>
Medical Payment	<ul> <li>Letter from Hospital or Sponsor</li> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Names of Patient</li> <li>Patient Assistant</li> <li>Value</li> <li>BPNG Approval</li> </ul>



PURPOSE, SUPPORTING DOCUMENT AND CHECK		
Purpose	Supporting Document	Check
Family Maintenance	<ul> <li>BOP Form-R1</li> <li>Passport</li> <li>Employment Contract &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Tax Haven</li> <li>Recipient</li> <li>Currency</li> <li>Frequency &amp; Value</li> <li>Sender</li> <li>Value</li> </ul>
Gifts & Grants	Same as Family Maintenance	Same as Family Maintenance
Lease Payment	<ul> <li>Contract (Lease Agreement)</li> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Recipient</li> <li>Currency</li> <li>Sender</li> <li>Value</li> <li>BPNG Approval</li> </ul>
Transportation	Same as Lease Payment	Same as Lease Payment
Construction Services	Same Lease Payment	Same as Lease Payment
Computer & Information	Same as Lease Payment	Same as Lease Payment
Management Fee	Same as Lease Payment	Same as Lease Payment
Royalty Fee	Same as Lease Payment	Same as Lease Payment



PURPOSE, SUPPORTING DOCUMENT AND CHECK		
Purpose	Supporting Document	Check
Licence Fee	<ul> <li>Contract (Licence Agreement)</li> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Value</li> <li>BPNG Approval</li> </ul>
Other Financial Service	Same as Licence Fee	Same as Licence Fee
Tax Payment	<ul> <li>An Valid Order for Payment</li> <li>Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Recipient</li> <li>Currency</li> <li>IPA Number</li> <li>Sender</li> <li>Value</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>
Superannuation Fund	<ul> <li>Letter from Super Fund</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	Same as Tax Payment
Compensation of Employee	<ul> <li>Letter from Employer</li> <li>Employment Contract</li> <li>BOP Form-R1</li> <li>List of Names (More than one)</li> <li>Tax Registration &amp; TCC</li> </ul>	Same as Tax Payment



## PART 8: OUTFLOWS (CONT'D)

PURPOSE, SUPPORTING DOCUMENT AND CHECK				
Purpose	Supporting Document	Check		
Travel Payment	<ul> <li>Commercial Invoice</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Recipient</li> <li>Currency</li> <li>IPA Number</li> <li>Sender</li> <li>Value</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>		
Interest Payment (Not Loan)	<ul> <li>Confirmation Letter</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	Same as Travel Payment		
Guarantee Payment	<ul> <li>Produce BPNG Approval</li> <li>BOP Form-G1</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	Same as Travel Payment		
Removal or Export of Physical Currency in Cash (Public)	<ul> <li>Confirmation Letter</li> <li>Confirmed e-ticket with Number</li> <li>Current Passport</li> <li>BOP Form-C1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Purpose</li> <li>Currency</li> <li>Tax Number</li> <li>Recipient</li> <li>Value</li> <li>BPNG Approval</li> <li>Sender</li> <li>Tax Haven</li> </ul>		



## PART 8: OUTFLOWS (CONT'D)

PURPOSE, SUPPORTING DOCUMENT AND CHECK					
Purpose	Supporting Document	Check			
Government Services (n.i.e.)	<ul> <li>Supporting Documents</li> <li>BOP Form-R1</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Recipient</li> <li>Currency</li> <li>Sender</li> <li>Value</li> </ul>			
Cultural & Recreational Services	<ul> <li>Supporting Documents</li> <li>BOP Form-R1</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Purpose</li> <li>Currency</li> <li>Tax Number</li> <li>Recipient</li> <li>Value</li> <li>BPNG Approval</li> <li>Sender</li> <li>Tax Haven</li> </ul>			



PURPOSE, SUPPORTING DOCUMENT AND CHECK					
Purpose	Supporting Document	Check			
Loan Repayment	<ul> <li>Loan Agreement</li> <li>Debit Note or Payment Notice</li> <li>BOP Form-LA &amp; Form-L2</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Currency</li> <li>Value</li> <li>Tax Haven</li> <li>IPA Number</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>			
Loan Interest Payment	Same as Loan Repayment	Same as Loan Repayment			
Equity Redemption	<ul> <li>Equity Agreement</li> <li>Signed &amp; Dated Board Resolution</li> <li>BOP Form-V2</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Recipient</li> <li>Sender</li> <li>Country</li> <li>Currency</li> <li>Value</li> <li>Tax Haven</li> <li>IPA Number</li> <li>Tax Number</li> <li>BPNG Approval</li> </ul>			
Dividend Payment	<ul> <li>Audited Financial Statements</li> <li>Signed &amp; Dated Board Resolution</li> <li>Year Dividends Declared</li> <li>Tax Registration &amp; TCC</li> <li>Form R1(D)</li> </ul>	Same as Equity Redemption			
Branch Profits	Same as Dividend Payment	Same as Equity Redemption			



## PART 8: OUTFLOWS (CONT'D)

#### **COMPLIANCE CHECKS**

PURPOSE, SUPPORTING DOCUMENT AND CHECK				
Purpose	Supporting Document	Check		
Foreign Investment	<ul> <li>Agreement (Contract)</li> <li>Signed &amp; Dated Board Resolution</li> <li>BOP Form-V3</li> <li>Tax Registration &amp; TCC</li> </ul>	<ul> <li>Business</li> <li>Country</li> <li>Recipient</li> <li>Currency</li> <li>Sender</li> <li>Value</li> </ul>	<ul> <li>Tax Haven</li> <li>IPA Number</li> <li>Tax Number</li> <li>BPNG Approval</li> <li>Frequency</li> </ul>	

Note that the Central Bank reserves the right to request for any other relevant information or documents not covered in the Slides



## PART 9: SUMMARY AND WAY FORWARD

## **Authorised Dealers**

- Have a duty to implement compliance checks on foreign exchange transactions
- Invest time, effort and resources to ensure proper and adequate compliance checks are done

# Way Forward

- BPNG will do audits and conduct training for Staff of Authorised Dealers
- Authorised Dealers are to use the Slides for Guidance and Training
- Authorised Dealers need to use the Foreign Exchange Manuals issued by BPNG to Train and Develop Capacity of their Line Staff



#### **End of Presentation**

Thank you