



Guide on Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021

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Section 1: Introduction

1. The Council for Estate Agencies (CEA) operationalised the Estate Agents (Amendment) Act 2020 (or “Amendment Act” in short) on 30 July 2021. The duties of estate agents (“EAs”) and real estate salespersons (“RESs”) on the prevention of money laundering and terrorism financing have been elevated to duties under the Amendment Act.
2. CEA has prescribed the duties in the new Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021 (or “PMLFT Regulations” in short), which also took effect from 30 July 2021. These duties are consistent with the standards set by the inter-governmental body known as the Financial Action Task Force (“FATF”), that an EA or an RES must undertake when conducting estate agency work in relation to an acquisition or disposition of a property, in order to combat money laundering or the financing of terrorism, or both.
3. This Guide provides guidance to EAs and RESs on compliance with the obligations under the Amendment Act and PMLFT Regulations and should be read in conjunction with the Amendment Act and PMLFT Regulations. CEA’s Practice Guidelines 01-19 on the Prevention of Money Laundering and Countering the Financing of Terrorism has been replaced by the PMLFT Regulations.
4. The contents in this Guide are not exhaustive and will be updated when appropriate. EAs and RESs can refer to the latest version under the “Legislation & Guidelines” tab in the CEA website at <https://www.cea.gov.sg>.

Section 2: Overview of Money Laundering and Financing of Terrorism

5. Money laundering (“ML”) is a problem of international proportion. The laundering of proceeds of crime allows criminals to legitimise and enjoy their ill-gotten gains, and in turn provides them with greater incentive to commit financial crime. In addition, terrorist attacks in different countries and cities have increased the focus of governments worldwide on the need to take additional measures to counter terrorism and terrorist financing (“TF”).
6. The FATF is an international task force established in 1989 to develop international standards to combat money laundering and the financing of terrorism and proliferation. The FATF published a revised set of 40 recommendations on anti-money laundering and countering the financing of terrorism (“AML/CFT”) measures in 2012. As a member of the FATF, Singapore is committed to implementing these recommendations in an effective manner.
7. Apart from the financial sector, FATF identified “real estate agents” as one of the designated non-financial business and professions which include company service providers, casinos, accountants, pawnbrokers, precious

stones and metals dealers, and lawyers, as gatekeepers to counter the threat of ML/TF.

8. Properties can be an attractive avenue for criminals and even terrorist groups to perpetuate criminal deeds and launder tainted funds given the large sums involved. EAs and RESs help clients transact properties and this could involve or facilitate the movement of large amounts of funds, sometimes across international boundaries. EAs and RESs should be aware that they could be used as conduits to receive or transfer proceeds of crime or to further remit them to third parties. Two real case examples are provided at **Annex A**.
9. ML/TF compromises Singapore's economy, safety and security. These illegal activities can expose our financial and non-financial sectors to criminal abuse. It is important for all stakeholders, including our real estate agency industry, to play our part to counter these threats.
10. ML/TF are illegal activities under Singapore law. A description of ML/TF is provided at **Annex B**.

Corruption, Drug Trafficking and other Serious Crimes (Confiscation of Benefits) Act

11. The Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992 ("CDSA") is the primary legislation enacted to combat money laundering in Singapore. The CDSA criminalises the laundering of proceeds derived from drug dealing, corruption and other serious offences, and allows for the seizure and confiscation of such proceeds.
12. Under sections 50 and 51 of the CDSA, it is an offence for any person, including EAs and RESs, to assist another to retain benefits of drug dealing or criminal conduct. It is an offence to enter into, or otherwise be engaged in or take part in an arrangement, knowing or having reasonable grounds to believe that another person has been/is involved in, or has benefited from drug dealing or criminal conduct, and by that arrangement will facilitate:
 - a) The retention or control of that person's benefits of drug dealing or criminal conduct; or
 - b) The use of benefits of drug dealing or criminal conduct to secure funds directly or indirectly, or to acquire property (by way of investment or otherwise) for that person.
13. Under sections 53 and 54 of the CDSA, it is an offence for any person to acquire, possess, use, conceal or transfer benefits of drug dealing or criminal conduct. It is an offence for any person who, knowing or having reasonable grounds to believe that any property is, in whole or in part, directly or indirectly, represents another person's benefits of drug dealing or criminal conduct, conceals, disguises, converts or transfers that property or removes it from the jurisdiction.

14. Persons who are found to have committed the offences set out in sections 50, 51, 53 and 54 of the CDSA are liable to be punished with a fine not exceeding \$500,000 or to imprisonment for a term not exceeding 10 years, or to both. Where the offender is not an individual (e.g. a company), the penalty is a fine not exceeding \$1 million or twice the value of the property in respect of which the offence was committed, whichever is higher.

Filing a Suspicious Transaction Report as a Legal Obligation

15. Filing Suspicious Transaction Reports ("STR") is important in combating ML/TF. The Suspicious Transaction Reporting Office ("STRO") of the Commercial Affairs Department in the Singapore Police Force ("SPF") is Singapore's Financial Intelligence Unit. It is the central agency in Singapore for receiving, analysing and disseminating STRs to relevant enforcement and regulatory agencies.
16. Section 45(1) and (2) of the CDSA makes it mandatory for a person, in the course of his trade, profession, business or employment, to file a STR as soon as reasonably practicable after it comes to his attention that any property may be connected to a criminal activity, regardless of whether the transaction was completed. This includes the situation where he knows or may have reasonable grounds to suspect that the property in whole or in part, directly or indirectly, represents proceeds of, or was used in connection with, or is intended to be used in connection with any act which may constitute drug dealing or criminal conduct.
17. Persons who are found to have committed the offences set out in section 45(1) of the CDSA are liable to be punished by a fine not exceeding \$250,000 or imprisonment for a term not exceeding 3 years, or to both. If the offence is committed not by an individual (e.g. a company), the penalty is a fine not exceeding \$500,000. EAs and RESs may refer to **Annex C** for a list of red flag indicators.
18. Under section 45(7) of the CDSA, where a person discloses in good faith to a Suspicious Transaction Reporting Officer his knowledge or suspicion of a suspicious transaction or any information or other matter on which that knowledge or suspicion is based, the disclosure shall not be treated as a breach of any restriction upon the disclosure imposed by law, contract or rules of professional conduct. The person shall not be liable for any loss arising out of the disclosure or any act or omission in consequence of the disclosure.
19. The STR information and identity of the STR informer are protected under section 47 of the CDSA. Under Section 47 of the CDSA, no information disclosed by the STR informer shall be admitted in evidence in any civil or criminal proceedings. Moreover, no witness in such proceedings shall be obliged to disclose the identity of the STR informer. If a document which is in evidence was to contain any entry that could lead to the discovery of the identity of the STR informer, the court shall cause those entries to be concealed to protect his identity.

20. Section 77 of the CDSA states that except for the purpose of the performance of his duties or the exercise of his functions or when lawfully required to do so by any court or under the provisions of any written law, no authorised officer, Suspicious Transaction Reporting Officer or immigration officer shall disclose any information or matter which has been obtained by him in the performance of his duties or the exercise of his functions under the CDSA.

How to File a Suspicious Transaction Report

21. If in the course of carrying out estate agency work, any RES or EA suspects or has reason to believe that any property and/or property transaction (or proposed transaction) may be connected to money laundering, must make a report to the STRO. An RES who intends to file an STR will need to file it through his EA via the EA's CorpPass account. The EA must file the STR on the STRO Online Notices And Reporting (SONAR) platform (<https://www.police.gov.sg/sonar>). STRO's guidance on the completion of the STR Form is available on SONAR.

Tipping Off Offences

22. Under section 57(1) of the CDSA, it is an offence for any person, who knows or has reasonable grounds to suspect that an investigation under the CDSA is taking place or is about to take place, to make a disclosure to any other person information or any other matter which is likely to prejudice that investigation or proposed investigation.
23. Under section 57(2) of the CDSA, it is an offence for any person who knows or has reasonable grounds to suspect that a disclosure has been or is being made to an authorised officer under the CDSA, and discloses to any other person information or any other matter which is likely to prejudice any investigation which might be conducted following the disclosure. Tipping off constitutes an offence punishable by a fine not exceeding \$250,000 or to imprisonment for a term not exceeding 3 years, or to both.

Terrorism (Suppression of Financing) Act

24. The Terrorism (Suppression of Financing) Act 2002 ("TSOFA") not only criminalises terrorist financing but also imposes a duty on everyone to provide information pertaining to terrorist financing to SPF immediately. The obligation is laid out under sections 8 and 10 of the TSOFA. Any person found to have committed the offences set out in sections 8 and 10 of the TSOFA is liable for the following punishment:
- a) Where the offender is an individual, and the information came to the person's attention in the course of the person's trade, profession, business or employment – a fine not exceeding \$250,000 or to imprisonment for a term not exceeding 5 years, or to both;

- b) Where the offender is an individual, but paragraph 24(a) does not apply – a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 5 years, or to both; or
 - c) Where the offender is not an individual (e.g. a company), the penalty is a fine not exceeding \$1 million or twice the value of the property in respect of which the terrorism financing offence was committed, whichever is higher.
25. No criminal or civil proceedings shall lie against a person for any disclosure made in good faith.
26. The TSOFA also prohibits any person in Singapore from dealing with or providing services to a terrorist or terrorist entity, including those listed in the First Schedule of the TSOFA. Specifically, sections 3, 4, 5 and 6 of the TSOFA expressly prohibits any person from:
- a) Providing or collecting property for terrorist acts;
 - b) Provision of property and services for terrorist purposes;
 - c) Use or possession of property for terrorist purposes; and
 - d) Dealing with property of terrorists or terrorist entity.
27. Persons who are found to have committed the offences set out in sections 3, 4, 5 or 6 of the TSOFA are liable to be punished with a fine not exceeding \$500,000 or to imprisonment for a term not exceeding 10 years, or to both. Where the offender is not an individual (e.g. a company), the penalty is a fine not exceeding \$1 million or twice the value of the property in respect of which the offence was committed, whichever is higher.
28. Information on the designations and de-listings of terrorists can be found on the Inter-Ministry Committee on Terrorist Designation (IMC-TD) website, <https://www.mha.gov.sg>. Estate agents should subscribe to IMC-TD news and updates, which includes timely updates on designations and de-listings of terrorists, and general terrorism related matters.
29. EAs and RESs shall file an STR with STRO if they have information about any transaction or proposed transaction in respect of any property belonging to any terrorist or terrorist entity; or if they have possession, custody or control of any property belonging to any terrorist or terrorist entity.

Section 3: Conduct of Customer Due Diligence

30. The PMLFT Regulations require EAs and RESs to undertake Customer Due Diligence (“CDD”) measures when transacting with their clients. CDD is an important and effective tool for the identification and reporting of suspected ML/TF activities.
31. In addition, EAs and RESs must establish a client-agent relationship with their clients and inform the client of the terms of service.
32. EAs and RESs must conduct CDD and determine the risks of ML/TF before they facilitate each property sale or purchase transaction. The **Real Estate Salesperson’s Checklist on Customer Due Diligence (CDD) for Sale and Purchase Transactions (at Annex D)** guides EAs and RESs on the conduct of CDD for such transactions.
33. EAs and RESs must conduct CDD on property rental transactions if there are doubts about the veracity or adequacy of the identification data obtained from the client, or if there is suspicion of ML/TF activities (e.g. a tenant pays rental to an unrelated third party instead of the landlord).¹ The **Real Estate Salesperson’s Checklist on Customer Due Diligence (CDD) for Rental Transactions (at Annex E)** guides EAs and RESs on the conduct of CDD for such transactions.

Identify and Verify Client’s Identity

34. EAs and RESs must obtain and record their client’s identity and obtain the client’s written acknowledgement that the information obtained is accurate. The **Customer’s Particulars Form** helps EAs and RESs to record the required client’s particulars (at **Annex D1 and E1**). The client’s particulars obtained will help EAs and RESs assess whether there is suspicion of ML/TF activities, as well as comply with the regulations under the United Nations Act.²
35. EAs and RESs must verify the client’s identity using reliable, independent source documents, data or information. EAs and RESs should verify a client’s identity by requesting to see and record down details of documents such as a photo bearing identity card or passport.
36. If a client purports to act on behalf of any other person, EAs and RESs are to verify the identity of that person and request for documents authorising the client to act on behalf of that person, such as an authorisation letter or a Power of Attorney (“POA”). EAs and RESs should not deal with the client if the relevant supporting documents are not provided and should consider

¹ Refer to Annex C for a list of red flag indicators.

² As a member of the United Nations, Singapore implements the Resolutions passed by the United Nations Security Council (UNSC) through our domestic laws, such as the United Nations Act (Cap.339). Terrorist designations maintained by the UN Security Council Committee are listed under the subsidiary legislation to the United Nations Act.

lodging an STR if there is suspicion of ML/TF activities (see **Annex C** for a list of red flag indicators).

37. Where the client is a Ministry or Department, an Organ of State or a Statutory Board of the Government of Singapore, and the person who purports to act on behalf of the Government entity has been verified to be duly authorised, EAs and RESs are only required to obtain such information as may be required to confirm that the client is a Singapore Government entity as asserted.
38. If the client is an entity (e.g. a company or an association) or a legal arrangement (e.g. trusts), EAs and RESs must take reasonable measures to understand the nature of the client's business, ownership and control structure. To understand the ownership and control structure of the client, EAs and RESs may rely on any of the following information but not limited to:
 - a) Information provided by the client;
 - b) Information available on the entity's website or published annual reports;
 - c) Information available on the entity from public sources (e.g. annual returns and filings with Accounting and Corporate Regulatory Authority ("ACRA")); or
 - d) Information obtained from other reliable sources (e.g. research reports, third party service providers) or other research.
39. For a client that is an entity or legal arrangement, EAs and RESs must also verify the client's identity through the following information:
 - a) Name, legal form and proof of existence;
 - b) Instrument under which the entity or legal arrangement is constituted (e.g. Constitution³ of a company);
 - c) The identities of Directors or the most senior executive or managing official; and
 - d) The addresses of the registered office and principal place of business.
40. For a client that is an entity, EAs and RESs must identify and take reasonable measures to verify the identity of the beneficial owner(s) in relation to the entity. EAs and RESs shall:
 - a) Identify each individual who ultimately has a controlling interest in the entity;

³ Please visit ACRA's [website](#) for an explanation of a Constitution.

- b) Where there is doubt about whether each individual with controlling interest is the beneficial owner, to identify each individual who exerts control; or
 - c) Where such individuals cannot be identified through paragraphs 40(a) or 40(b), to identify the individuals having senior executive or managing positions in the entity.
41. For a client that is a legal arrangement, EAs and RESs must identify and take reasonable measures to verify the identity of the beneficial owner(s) in relation to the legal arrangement. EAs and RESs shall:
- a) For trusts – identify the settlor, the trustee(s), the protector (if any), the beneficiaries or class of beneficiaries, and any individual exercising ultimate effective control over the trust.
 - b) For any other types of legal arrangements – identify the individuals in equivalent or similar positions to 41(a).

Screen Client and Beneficial Owners against UN Sanctions Lists and First Schedule of the TSOFA

42. EAs and RESs must screen their clients and beneficial owners against the UN lists of designated individuals and entities. Such screening can be done on the “United Nations Security Council Sanctions List Search” webpage <https://scsanctions.un.org/search/>), terrorist and terrorist entities identified under the First Schedule of the TSOFA (<https://sso.agc.gov.sg/Act/TSFA2002>), and any list that may be provided by the authorities from time to time (including CEA’s Practice Circulars on Compliance with Terrorism (Suppression of Financing) Act).
43. EAs should subscribe⁴ to Monetary Authority of Singapore (MAS) website to receive (without paying a fee) updated information on targeted financial sanctions. Doing so will help EAs to stay abreast of relevant announcements, such as changes to higher risk jurisdictions or those with strategic AML/CFT deficiencies identified by the FATF, so as to enable EAs to adopt the appropriate additional risk mitigation measures, including Enhanced Customer Due Diligence or other additional measures. Key Executive Officers (KEOs) should also strongly encourage RESs to subscribe to the MAS website. EAs may also consider other means to ensure that they are kept up to date on changes to targeted financial sanctions requirements, including updates to the relevant UN lists, e.g. subscription to third party AML tools and software.
44. In cases where EAs and RESs suspect that they are dealing with designated individuals or entities as defined in the UN Act, the TSOFA or any list that may be provided by the authorities from time to time, they must file an STR, cease

⁴ Select subscription topic “Anti-Money Laundering”. Scroll down to “Regulation Focus Areas” subsection and click <Anti-Money Laundering>

any dealing and refrain from further dealing with the property or property transaction of the client unless the client has obtained an Exemption Order under the TSOFA.

45. If EAs and RESs suspect that they are dealing with persons engaged in money laundering or the financing of terrorism, they must file an STR.

Conduct Ongoing Due Diligence

46. EAs and RESs shall conduct ongoing due diligence on their clients whom they have an ongoing business relationship with (e.g. a corporate client such as a developer or REIT property manager). EAs and RESs can use the Customer's Particulars Form to obtain and record their client's identity and complete the Real Estate Salesperson's Checklist on Customer Due Diligence (CDD) for the initial transaction with the client.
47. Ongoing due diligence on the same clients must then be conducted at regular intervals determined by the EAs and RESs based on their risk assessment of the clients. The ongoing due diligence measures involve scrutinising transactions undertaken throughout the course of the business relationship to ensure that the transactions being conducted are consistent with the EA's and RES's knowledge of the client, its business and risk profile and where necessary, the source of funds.
48. EAs and RESs may consider creating a Checklist on Ongoing Due Diligence for clients that they have an ongoing relationship with. Please refer to **Annex F** on the example of items to include in the checklist, which can be used in place of the Customer's Particulars Form and Real Estate Salesperson's Checklist on CDD after the initial transaction.

Dealing with Politically Exposed Persons

49. A Politically Exposed Person ("PEP") refers to a domestic PEP, a foreign PEP or an international organisation PEP. EAs and RESs must take reasonable measures to determine whether the client is a PEP or a family member or close associate of a PEP. The various definitions are listed below:
- a) A domestic PEP refers to a person who is or has been entrusted domestically with prominent public functions.
 - b) A foreign PEP refers to a person who is or has been entrusted with prominent public functions by a foreign country.
 - c) An international organisation PEP refers to a person who is or has been entrusted with prominent functions by an international organisation.
 - d) Prominent public functions include the roles held by a Head of State or government, government ministers, senior politicians, senior civil or public servants, senior judicial or military officials, senior executives of state

owned corporations or senior officials of political parties, members of the legislature and senior management of international organisations.

- e) Prominent functions mean the role held by a member of the senior management of the international organisation.
 - f) Family member means a parent, step-parent, child, step-child, adopted child, spouse, sibling, step-sibling, adopted sibling and adopted stepsibling of the PEP.
 - g) Close associate means an individual who is closely connected to a PEP, either socially or professionally.
50. For a foreign PEP (whether a client, or beneficial owner), or a family member or close associate of the foreign PEP, EAs and RESs should:
- a) Obtain approval from the EA's senior management to establish or continue the business relationship; and
 - b) Establish, by appropriate and reasonable means, the source of wealth and source of funds.
51. For domestic PEPs or PEPs from international organisations, EAs and RESs must perform the measures set out in paragraphs 50(a) and 50(b) if it is assessed to be a higher risk business relationship or transaction.

Enhanced Customer Due Diligence for Higher Risk Areas

52. EAs and RESs must perform enhanced CDD measures and enhanced ongoing due diligence measures where applicable⁵ (refer to paragraphs 46 to 48 for ongoing due diligence) for the following areas where ML/TF risks are higher:
- a) Complex or unusually large transactions or when there are unusual patterns of transactions which have no apparent economic or lawful purpose.
 - b) Business relations and transactions with individuals and companies from or in countries or territories which have been identified as higher risk or those with strategic AML/CFT deficiencies identified by the FATF. Please refer to the webpage on FATF list of high-risk and monitored jurisdictions (<http://www.fatf-gafi.org/countries/#high-risk>).
 - c) Business relations and transactions with a client or beneficial owner who is a foreign PEP, or a family member or close associate of the foreign PEP.

⁵ For a client assessed to be of higher risk (e.g. foreign PEP), EAs and RESs should conduct enhanced ongoing due diligence on that client on a more regular basis (e.g. at 6 monthly interval).

53. The enhanced CDD measures include obtaining additional information on the client (e.g. source of funds and source of wealth, purpose of transaction, information available through public databases, internet, etc.) by appropriate and reasonable means, increasing the frequency of ongoing due diligence and obtaining the approval of EA's senior management to commence or continue the business relationship.

Where Customer Due Diligence Cannot Be Completed

54. Where CDD cannot be completed, EAs and RESs must cease dealing with the client, terminate the relationship and consider filing an STR. In cases where EAs and RESs reasonably believe that undertaking CDD measures would tip off the client, they should not pursue the CDD process and file an STR instead.

Reliance on Third Parties

55. EAs and RESs who are aware that another licensed EA (i.e. a third party) has done CDD measures on a particular client may rely on the CDD measures performed by the third party provided the criteria set out below are met:
- a) The EA or RES relying on a third party must immediately obtain the required information on CDD measures undertaken (e.g. Completed Real Estate Salesperson's Checklist on CDD including Customer's Particulars Form).
 - b) The EA or RES must be satisfied that identification data and other relevant documentation relating to the CDD requirements will be provided by the third party upon request without delay.
 - c) The third party is regulated by CEA for compliance with requirements for the prevention of money laundering and the financing of terrorism consistent.

However, the responsibility for complying with the CDD measures still remains with the EA or RES. Reliance on a third party to conduct ongoing due diligence is not allowed.

Section 4: New Services and Technologies

56. The EA must identify and assess the ML/TF risks that may arise in relation to the development of new services and business practices, and the use of new technologies for new and existing services and business practices. Some examples are new technologies that facilitate non-face-to-face transactions, use of new systems to interact/take instructions from clients or acceptance of new payment methods such as virtual assets.
57. The assessment must be done by the EA prior to the launch of new technologies, services and practices.
58. The EA shall take appropriate measures to manage and mitigate the identified risks.

Section 5: Assessing Risks and Internal Compliance Procedures

59. The EA must:
 - a) Take appropriate steps to identify, assess, understand, document and mitigate the ML/TF risks in relation to its clients and keep the risk assessments up to date;
 - b) Develop and implement internal policies, procedures and controls to effectively manage and mitigate any identified ML/TF risks and any risks notified to the EA by CEA;
 - c) Take enhanced measures to manage and mitigate any higher ML/TF risks identified;
 - d) Have an ongoing programme to train its RESs on the EA's internal policies, procedures and controls;
 - e) Monitor the implementation of the internal policies, procedures and controls, and enhance them if necessary;
 - f) Develop and implement appropriate compliance management arrangements through internal checks and audits. Ensure that such checks and audits are carried out properly, and take appropriate rectification measures to address any non-compliance (e.g. the relevant sections of the Checklists and forms are duly completed, and CDD measures and procedures are complied with, where required); and
 - g) Apart from documents cited under paragraph 7 of the Code of Practice for Estate Agents as set out in the Second Schedule to the Estate Agents (Estate Agency Work) Regulations 2010, the EA shall retain originals or keep copies (may be in electronic format) of documents in relation to the PMLFT Regulations for at least 5 years after the business relationship is ended, or after the date of transaction. Please refer to **Annex G** for the list of documents and records to be kept.

Section 6: Checklists to Guide Real Estate Salespersons and Estate Agents

60. The following checklists guide EAs and RESs in complying with the PMLFT Regulations:
- a) Real Estate Salesperson's Checklist on Customer Due Diligence (CDD) for Sale and Purchase Transactions provided at **Annex D and D1**;
 - b) Real Estate Salesperson's Checklist on Customer Due Diligence (CDD) for Rental Transactions provided at **Annex E and E1**; and
 - c) Estate Agent's Checklist on Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) provided at **Annex H and H1**.
61. CEA will inspect EAs for compliance with the PMLFT Regulations based on the checklists disseminated in this Guide. EAs shall submit the completed Estate Agent's Checklist on AML/CFT to CEA for inspection as and when required by CEA. EAs are advised to conduct self-assessment using this checklist periodically and retain the completed checklist for record purposes.
62. The Real Estate Salesperson's Checklists guides EAs and RESs on performing CDD for every property transaction. RESs are required to complete the checklist for the client(s) that they represent, e.g. if the RES represents the buyer, the RES will complete the checklist for the buyer. Similarly, the RES will complete the checklist for the landlord if he represents the landlord. Thereafter, the RES is required to submit the relevant completed Real Estate Salesperson's Checklist on CDD including the Customer's Particulars Form to their EA.

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Annex A: Examples of Cases Involving Breach of Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act

Case 1

1. RES A received a referral on a “high net worth” female Chinese national known as Client B who was interested to buy a \$23.8m property in Sentosa Cove. RES A conducted viewing of the property for Client B and subsequently referred Client B to Lawyer C for conveyancing.
2. Client B paid Lawyer C \$5.5m for the purchase but a day before the scheduled completion of the property purchase, Lawyer C told RES A that Client B had become uncontactable. RES A performed online searches on Client B and her company and found adverse news reporting that Client B and the company was involved in financial fraud. RES A told Lawyer C about the information upon which Lawyer C did her own online searches to verify the discovery.
3. RES A alerted his EA about the matter and the KEO told him to file an STR on the property transaction. Despite repeated reminders by his KEO to file the STR, RES A refused to do so. RES A was quoted as saying that “you do not get money out of it” and that he “hates to do paperwork”.
4. Client B was sentenced to jail in China over her involvement in the financial fraud. Over \$27m of her crime proceeds was recovered in Singapore. RES A and Lawyer B were prosecuted and each fined \$10,000 by the Court for failing to alert the authorities that the monies used to purchase the property could have been proceeds from their client's criminal conduct.

Lesson learnt

5. After discovering the information on Client B, RES A and Lawyer C should have filed an STR with STRO with regard to the property transaction as the money involved in the purchase of the property could have stemmed from criminal activities.
6. Under Section 45(3) of the CDSA, failure to file an STR when a person knows or has reason to suspect that any property may be connected to a criminal activity constitutes an offence punishable by a fine not exceeding \$250,000 or imprisonment for a term not exceeding 3 years, or both.

Case 2

1. RES A received an email purportedly from Client B, expressing his interest to rent a private property in Singapore. Client B claimed that he was an American citizen who chanced upon RES A's real estate advertisement online.
2. Subsequently, a rental contract was drawn up by RES A after the terms of contract was agreed upon by both parties. The rental contract would take effect upon Client B's transfer of the first month of rental deposit to RES A's designated bank account. However, Client B failed to transfer the monies within the stipulated timeline.
3. A few weeks later, Client B contacted RES A and informed him that his business associate/relative had 'accidentally' transferred money into RES A's bank account in Singapore. RES A was then instructed to withdraw the money and hand it over to a person claiming to be Client B's friend in Singapore. There was no good explanation of how Client B's associate/relative had obtained RES A's bank account number, why the sum transferred bore no relation to the agreed rent, and why RES A was not asked to request his bank to simply reverse the transfer. Subsequently, RES A turned down the client's request when approached for assistance on another money transfer.
4. Investigation revealed that the monies transferred to RES A's bank account were proceeds of crime originating from fraud perpetrated in a foreign country. By transferring proceeds of crime, RES A may have wittingly or unwittingly facilitated money laundering in Singapore.

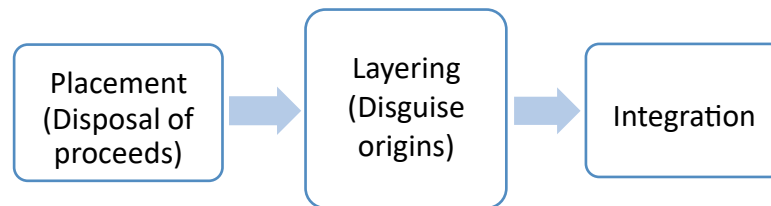
Lesson learnt

5. When instructed to pass the funds to an unrelated individual, RES A should have filed an STR with STRO as the remittance and subsequent instruction were deemed suspicious. He should have also considered asking his bank to reverse the transfer of funds (i.e. to return the funds to the originating bank account).
6. Under Section 45(3) of the CDSA, failure to file an STR when a person knows or has reason to suspect that any property may be connected to a criminal activity constitutes an offence punishable by a fine not exceeding \$250,000 or imprisonment for a term not exceeding 3 years, or both.

Annex B: Description of Money Laundering and Financing of Terrorism

Money Laundering

1. Money laundering is a process intended to mask the benefits derived from drug dealing or criminal conduct so that it appears to have originated from a legitimate source. Generally speaking, an act of money laundering involves three stages:



- a) **Placement:** The placement stage of money laundering takes place when there is physical disposal of the benefits (such as cash proceeds) derived from illegal activities of drug dealing or criminal conduct. Here, the money launderer introduces his illegal profits into the financial system. This might be done by breaking up large amounts of cash into less conspicuous smaller sums that are then deposited direct into a bank account, or by purchasing a series of monetary instruments (cheques, money orders etc.) that are then collected and deposited into the accounts at another location.
- b) **Layering:** After the funds have entered the financial system, the layering stage takes place. Layering refers to separating illicit proceeds from their source by creating layers of financial transactions designed to disguise the source of funds (which could involve virtual assets/digital payment tokens) and subvert the audit trail. The funds might be channelled through the purchase and sale of investment instruments/properties, or the money launderer might simply wire the funds through a series of bank accounts across the globe. In some instances, the money launderer might disguise the transfers as payments for goods and services/properties, giving them a legitimate appearance.
- c) **Integration:** Integration is the provision of apparent legitimacy to benefits of drug dealing or criminal conduct. If the layering process succeeds, integration schemes place the laundered funds back into the economy so that they re-enter the financial system appearing to be legitimate business funds. The money launderer might choose to invest the funds into real estate, luxury assets, or business ventures.

Financing of Terrorism

2. Terrorists require funds (which could involve virtual assets/digital payment tokens) to carry out acts of terrorism, and terrorist financing provides the funds needed. Sources of terrorist financing may be legitimate or illegitimate.

It may be derived from criminal activities such as kidnapping, extortion, fraud, theft, smuggling or drug dealing. It may also be derived from legitimate income such as membership dues, sales of publications, donations from persons or entities sympathetic to their cause and sometimes income from legitimate business operations belonging to terrorist organisations.

3. Terrorist financing involves amounts that are not always large and the associated transactions may not necessarily be complex given that some sources of terrorism funds may be legitimate.
4. However, the methods used by terrorist organisations to move, collect, hide or make available funds for their activities remain similar to those used by criminal organisations to launder their funds. This is especially so when the funds are derived from illegitimate sources, in which case, the terrorist organisations would have similar concerns to a typical criminal organisation in laundering the funds. Where the funds are derived from legitimate sources, the terrorist organisations would usually still need to employ the same money laundering techniques to obscure or disguise the links between the organisation and the funds.

Annex C: List of Red Flag Indicators

(Updated as of 21 Jan 2025)

1. This list of indicators is intended to aid estate agents (EAs) and real estate salespersons (RESs) to identify some of the circumstances which could be suspicious in nature. They could indicate that the transaction may involve proceeds of money laundering or terrorism financing.
2. While each individual indicator may not be sufficient by itself to suggest money laundering or terrorism financing, a combination of the indicators may indicate a suspicious transaction. The list is not exhaustive and is subject to updates to reflect changing circumstances and new methods of money laundering or terrorism financing.
3. If an EA or RES, in the course of his/her trade, profession, business or employment, knows or has reasonable grounds to suspect that any transaction or property may be connected to criminal activity, he/she has the legal obligation to file a Suspicious Transaction Report (STR) to the Suspicious Transaction Reporting Office (STRO). A STR may be filed via STRO's Online Notices And Reporting platform (SONAR). Failure to file a STR may constitute a criminal offence.
4. All STRs should be filed as soon as is reasonably practicable. EAs are strongly encouraged to have an existing SONAR account, or to register for one if they have not done so. More information on registering for a SONAR account and filing an STR is available on the SONAR website at <https://www.police.gov.sg/sonar>.

Note: In this document, a "client" refers to an individual, an entity or a legal arrangement who, whether on the person's own behalf or on behalf of another person, retains or otherwise uses the services of, or otherwise engages or employs, an estate agent, whether directly or through a salesperson. For the purposes of this document, "client" also includes a beneficial owner (BO)⁶ of a client, any person on whose behalf a client is acting or a BO of that person (where applicable).

List of Red Flag Indicators

Client Background - Natural Persons (Individuals) and/or Legal Persons (e.g. Companies, Businesses, Trusts, Foundations, Societies and Cooperatives)

- i. Client is linked to negative news or crime (e.g. client is named in a news report on a crime committed or is a designated entity on the United Nations Security Council Resolutions).
- ii. Client provides multiple travel documents, or possess travel documents issued by countries known to offer citizenship by investment (CBI) and residency by

⁶ As defined in Regulation 2 of the Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021.

investment (RBI) programmes; or countries flagged by Financial Action Task Force (FATF).

- iii. Client appears to be a shell company and representatives of the company refuse to disclose the identity of the BO, the person on whose behalf a client is acting or the BO of that person. Potential indicators of a shell company include the lack of the company's physical presence in Singapore, control of nominee director by a foreign shareholder, or the nominee director's lack of awareness of the company's business.

Client Behaviour

- iv. Client appears concerned about the anti-money laundering and counter financing of terrorism reporting requirements, such as the customer due diligence checks that are conducted on him.
- v. Client is resistant to providing additional information (e.g. such as the identity of the BO, the person on whose behalf a client is acting or the BO of that person, the source of wealth or source of funds) or provides vague responses when asked.
- vi. Client appears hesitant or declines to put his name on any document that would connect him with the property.
- vii. Client uses different names on the Option to Purchase, closing documents and deposit receipts.
- viii. Client purchases property in the name of a nominee such as an associate or a relative (other than a spouse or child), or on behalf of minors or incapacitated persons or other persons who lack the economic capacity to carry out such purchases. For example, client paid for multiple properties under the names of various parties whom he claimed to be relatives and were for investment purposes.
- ix. Client appears to be acting as a proxy for the purchase of the properties and makes attempts to conceal the identity of the BO, a person on whose behalf a client is acting or a BO of that person.
- x. Client attempts to hide its identity or requests that the transaction be structured to hide the identity of the BO, the person on whose behalf a client is acting or the BO of that person.
- xi. Client inadequately explains the last minute substitution of the purchasing party's name.
- xii. Client purchases properties using different identification documents or passports.
- xiii. Client provides an address that is unknown, believed to be false, or simply a correspondence address (e.g. a post office box number which might not provide details of the actual address).

- xiv. Client (buyer) takes on a debt significantly higher than the value of the property.
- xv. Client appears unconcerned about the economic or investment value of the property he is purchasing, such as the price, location, condition and anticipated repair costs, etc., of each property.
- xvi. Client purchases property without making any attempt to inspect it or review the brochure or marketing material of the property.
- xvii. Client purchases two or more properties in each project within a short period of time and seems to have few concerns about the price, location, condition and anticipated repair costs, etc., of each property, or the Additional Buyer Stamp Duties payable.
- xviii. Client is a recently created legal entity and the amount of the transaction is large compared to their assets.
- xix. Client's known business activity and purpose does not match the real estate transaction. For example, the client is a non-profit organisation but the property is purchased for investment which requires a large loan.
- xx. Client purchases a high-end property without assistance from any marketing agent or solicitor.

Transaction Patterns

- xxi. Client closes a rental transaction or makes a real estate purchase with a significant amount of physical cash (e.g. more than S\$20,000) or negotiable instruments which do not state the true payer (e.g. bank drafts).
- xxii. Client pays substantial down payment in physical cash (e.g. more than S\$20,000).
- xxiii. Client pays rent for long duration (e.g. more than 3 months) of a lease in advance.
- xxiv. Involvement of third-party transactions without apparent connection or legitimate explanation. Some examples include:
 - a) Payments from client are financed by an unusual source (e.g. from an offshore bank located in a jurisdiction identified as high-risk and non-cooperative by FATF, payments for an individual's purchase of a residential property are made by a company).
 - b) Payments from a third party, other than a spouse or parent.
- xxv. Transaction (whether property is sold directly by a developer, or sold in a subsale or resale by a purchaser) is entered into at a value significantly

different (much higher or much lower) from the real or market value of the property.

- xxvi. The same property is sold in a series of successive transactions; with each transaction at a significantly higher or lower price than recent market price. In particular, if the transactions were conducted between the same parties.
- xxvii. Transaction employs unusual or unnecessarily complex legal structures without any economic logic (e.g. layering of multiple unrelated entities, offshore trusts and special purpose vehicles, cross-border arrangements).
- xxviii. Client purchases the property without a loan.
- xxix. Transfer of real estate or property between parties in an unusually short period of time.

Annex D: Real Estate Salesperson's Checklist on Customer Due Diligence (CDD) for Sale and Purchase Transactions

Important points to note:

1. This checklist guides the real estate salesperson (RES) on the conduct of CDD to comply with the requirements of the Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021 when undertaking estate agency work.
2. The RES is required to complete the checklist for his client, e.g. if the RES represents the buyer, he is only required to complete the checklist for the buyer.
3. The RES is required to complete the checklist for every property transaction, and thereafter submit the completed checklist to his estate agent (EA).

	Activity	Tick (✓)	Remarks (if any)
Section 1: Customer's Particulars Form			
1.1	<p>The RES is required to establish a client-agent relationship with your client and inform your client of the proposed terms of service. If you have not done so for this transaction, please state the reasons in the "Remarks" column.</p> <p><i>Pointer: The RES is encouraged to use the prescribed estate agency agreement to formalise the client-agent relationship. Client-agent relationship may also be established through email or phone text messages.</i></p>		
1.2	<p>Obtain and record your client's identifying information in the Customer's Particulars Form (Annex D1), obtain your client's acknowledgment and verify your client's identity. It is mandatory to do so. If it is not done, please state the reasons in the "Remarks" column.</p> <p><i>Pointer: Verify your client's identity by requesting to see and record details of documents such as his NRIC or passport. Your client's particulars and your interaction with your client will help you assess if there is suspicion of money laundering (ML) or terrorist financing (TF) activity.</i></p>		
1.3	<p>If your client purports to act on behalf of any other person, identify and verify the identity of that person and request for documents authorising your client to act on behalf of that person such as an authorisation letter or a Power of Attorney (POA). If it is not provided, do not deal with your client and consider lodging an STR if there is suspicion of ML or TF activity.</p> <p>If it is not done, please state the reasons in the "Remarks" column.</p>		
1.4	<p>Is your client a Ministry or Department, an Organ of State or a Statutory Board of the Government of Singapore?</p> <p>If your answer is "Yes", you are not required to proceed with other Sections of this checklist. Please proceed to sign off the declaration and submit the checklist to your EA.</p> <p>If you answer is "No", please continue with this checklist.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	Activity	Tick (✓)	Remarks (if any)
Section 2: Conduct of Customer Due Diligence (CDD) Measures <i>[Note: In situations where the RES reasonably believes that conducting the below mentioned CDD measures would tip off your client, he should not pursue the CDD measures and he should file a Suspicious Transaction Report (STR)].</i>			
2.1	Entity or Legal Arrangement a) Is your client either an entity (such as a company or an association) or a legal arrangement (a trust)? If your answer is “Yes”, please proceed with Section 2.1(b) and (c). If your answer is “No”, please proceed to Section 2.2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	b) For your client who is an entity or legal arrangement, the RES is to understand its nature of business, ownership and control structure and verify the identity. If it is not done, please state the reasons in the “Remarks” column. <u>Pointer:</u> To understand the nature of business, ownership and control structure of your client, you may rely on any of the following information but not limited to: (i) Information provided by your client (e.g. Entity’s organisation chart); (ii) Information available on the entity’s website or published annual reports; (iii) Information available on the entity from public sources (e.g. annual returns and filings with ACRA); or (iv) Information obtained from other reliable sources (e.g. research reports, third party service providers) or other forms of research. <u>Pointer:</u> You must obtain the following information (e.g. entity’s business profile from Bizfile) to identify and verify your client’s identity: (i) Name, legal form (e.g. company or partnership) and proof of existence; (ii) Instrument under which the entity or legal arrangement is constituted (e.g. Constitution of a company); (iii) The identities of Directors or the most senior executive or managing official; and (iv) The addresses of the registered office and principal place of business.		
	c) For your client who is an entity or legal arrangement, the RES is to identify and verify the identity of the beneficial owner(s) in relation to the entity or legal arrangement. If it is not done, please state the reasons in the “Remarks” column. <u>Pointer:</u> You must obtain the following identifying information and take reasonable measures to verify the identity of each beneficial owner: (i) Name (ii) Date of birth (iii) Nationality (iv) Identification number and identification type (v) Occupation <u>Pointer:</u> To identify the beneficial owner(s) of an entity, you must: (i) Identify each individual who ultimately has a controlling interest in the entity. (ii) Where there is doubt about whether each individual with controlling interest is the beneficial owner, to identify each individual who exerts control. (iii) Where such individuals cannot be identified through (i) or (ii), to identify the individuals having senior executive or managing positions in the entity. <u>Pointer:</u> To identify the beneficial owner(s) of a legal arrangement, you must: (i) For trusts – identify the settlor, the trustee(s), the protector (if any), the beneficiaries or class of beneficiaries, and any individual exercising ultimate effective control over the trust. (ii) For any other types of legal arrangements – identify the individuals in equivalent or similar positions.		
	You must file an STR if there is any suspicion of ML or TF activity.		

	Activity	Tick (✓)	Remarks (if any)
2.2	<p><u>TSOFA and list provided by authorities (including CEA's Practice Circular (PC) on <u>Compliance with TSOFA</u>)</u></p> <p>a) Screen your client and the beneficial owner(s) against the <u>First Schedule of the TSOFA</u> and list provided by authorities. If it is not done, please state the reasons in the "Remarks" column.</p> <p><i>Pointer: You can download a copy of the TSOFA from https://sso.agc.gov.sg/Act/TSFA2002.</i></p>		
	<p>b) In the screening of your client and the beneficial owner(s) against the TSOFA and list provided by authorities, do you <u>suspect</u> your client or the beneficial owner(s) to be a designated individual or entity?</p> <p><i>Pointer: You may match the name, nationality, age range and passport number (if available) of the client against the information provided in the First Schedule of the TSOFA and list to determine if your client or the beneficial owner(s) is a designated individual or.</i></p> <p>If your answer is "Yes", please proceed to file an STR and continue with 2.2(c).</p> <p>If your answer is "No", please tick (✓) "NA" for 2.2(c).</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<p>c) Has your client or the beneficial owner(s) obtained an Exemption Order under the TSOFA?</p> <p><i>Pointer: You may check with your EA whether an Exemption Order has been issued to your client or the beneficial owner(s).</i></p> <p>If you answer is "Yes" or "NA", continue with section 2.3.</p> <p>If your answer is "No", you must cease all dealings with the client. You are not required to proceed with other Sections of this checklist. Please proceed to sign off the declaration and submit the checklist to your EA.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
2.3	<p><u>United Nations (UN) Sanctions Lists</u></p> <p>a) Screen your client and the beneficial owner(s) against the <u>UN Sanctions Lists</u>. It is mandatory to do so. If it is not done, please state the reasons in the "Remarks" column.</p> <p><i>Pointer: Screening can be done on the "United Nations Security Council Sanctions List Search" webpage at https://scsanctions.un.org/search/</i></p>		
	<p>b) In your screening, do you <u>suspect</u> your client or the beneficial owner(s) to be a designated individual or entity in the lists?</p> <p><i>Pointer: You may match the name, nationality, age range of the client and beneficial owner(s) against the information provided in the UN Sanctions Lists to determine if your client or the beneficial owner(s) is a designated individual or entity.</i></p> <p>If your answer is "No", continue with section 2.4.</p> <p>If your answer is "Yes", you must file an STR and <u>cease dealing</u> with your client. You are not required to proceed with other Sections of this checklist. Please proceed to sign off the declaration and submit the checklist to your EA.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	Activity	Tick (✓)	Remarks (if any)
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2.4	<p><u>Politically Exposed Person (PEP)</u></p> <p>a) Take measures to determine if your client or the beneficial owner(s) is a <u>PEP</u>.</p> <p><i>Pointer: A PEP refers to a person, whether domestic, foreign or international organisation, who is or has been entrusted with prominent public functions, e.g. government ministers, senior civil servants, senior executive of state owned corporations or senior management of international organisations, etc. Use an internet-based search engine, e.g. Google or Yahoo, to obtain news or information to determine if your client or the beneficial owner(s) is a PEP.</i></p>	
	<p>b) Is your client or the beneficial owner(s) a <u>foreign PEP</u>, a <u>family member</u> or <u>close associate</u> of a foreign PEP?</p> <p><i>Pointer: A foreign PEP refers to a person who is or has been entrusted with prominent public functions by a foreign country. Family member means a parent, step-parent, child, step-child, adopted child, spouse, sibling, stepsibling and adopted sibling of the PEP. Close associate means an individual who is closely connected to a PEP, either socially or professionally.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.5	<p><u>Higher Risk Areas</u></p> <p>a) Is the property transaction <u>complex</u> or <u>unusually large</u>?</p> <p><i>Pointer: Complex transactions include attempts to disguise the beneficial owner(s) involved in the transaction, use of unnecessarily complex transaction structures designed to obscure the true nature of the transaction, or involving the use of multiple intermediaries for the transaction. Unusually large transactions could include a transaction priced at more than the usual or expected amount for a similar typical transaction.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<p>b) Does the property transaction have <u>no apparent economic</u> or <u>lawful purpose</u>?</p> <p><i>Pointer: Transactions with no apparent economic or lawful purpose could include using trust and company service providers to set up a number of corporate structures in multiple jurisdictions for the transaction without any apparent purpose.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<p>c) Is your client or the beneficial owner(s) in or from <u>higher risk countries or territories</u>?</p> <p><i>Pointer: The link to the list of higher risk countries or territories can be found at the Financial Action Task Force's (FATF) webpage at http://www.fatfgafi.org/countries/#high-risk</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<p>If your answer is "Yes" to one or more of the above questions in Section 2.5, your transaction may be of higher risk. Please proceed to complete Section 2.6.</p> <p>If your answers are "No" to all of the above questions in Section 2.5, you may skip Section 2.6. Please proceed to sign off the declaration and submit the checklist to your EA.</p>	
2.6	<p><u>Enhanced CDD</u></p> <p>a) As the property transaction may be of higher risk, conduct enhanced CDD measures by asking the following information from your client or the beneficial owner(s), i.e. source of funds, source of wealth and purpose of the transaction. Please indicate the findings in the "Remarks" column.</p> <p>b) Seek approval from your EA to continue with the higher risk property transaction. Please indicate the decision of your estate agent in the "Remarks" column.</p>	

Reminder: Suspicious Transaction Report (STR)

[Note: During the course of carrying out estate agency work, any EA or RES who suspects or has reason to believe that any property and/or property transaction (or proposed transaction) may be connected to money laundering or financing of terrorism, must file an STR through the STRO Online Notices And Reporting (SONAR) platform in accordance with the law. The RES who intends to file an STR will need to file it through his EA via his EA's CorpPass account. STRO's guidance on the completion of the STR Form is available on <https://www.police.gov.sg/sonar>]

In your conduct of CDD for this property transaction, you must file an STR when:

- a) You face difficulty in completing CDD, e.g. your client is uncooperative such as refusing to provide information or attempting to hide information;
- b) There is indication of your client or the beneficial owner(s) (including family member or close associates of your client or the beneficial owner(s) who is a foreign PEP) being involved or linked with ML/TF activity;
- c) You reasonably believe that conducting CDD will tip off your client; or
- d) There is suspicion of ML/TF activity, such as the following (you should refer to the list of red flag indicators in **Annex C**):
 - There is adverse news concerning your client or/the beneficial owner(s) in the media.
 - Your client is hesitant or declines to put his name on any document that would connect him with the property.
 - Your client attempts to hide the identity of the true client.
 - Your client is willing to pay a higher price and is willing to transact without inspecting the property.

RES's Declaration: I declare that the above information provided are true, accurate and complete to the best of my knowledge and understanding.

Name of Client(s):	
Identity of Client(s): (NRIC/Passport No./Other ID)	
Tick (✓) Type of Client(s):	<input type="checkbox"/> Seller <input type="checkbox"/> Buyer
Name & Licence No. of EA:	
Name & Registration No. of RES:	
Date of Completing Checklist:	
Date of Submitting to EA:	
Signature of RES:	

Annex D1: Customer's Particulars Form for Sale and Purchase Transactions

Important:

Pursuant to the Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021, estate agents (EAs) and real estate salespersons (RESs) are required to obtain their client's particulars for every property transaction, as part of measures to prevent money laundering and financing of terrorism.

The RES is to obtain and record your client's identity in this form, ask your client to acknowledge, and thereafter submit the completed form to your EA.

(A) Customer's Particulars (for individuals)	
Name:	
NRIC/Passport/Other ID No.:	
State the Type of Identification Document: (e.g. Identity card, Passport, Work permit)	
Date of Birth:	
Nationality:	
Occupation:	
(B) Customer's Particulars [for entities (e.g. Government organisations, company, corporations or associations) and legal arrangements (e.g. a trust)]	
Name:	
Country of Registration:	
Registration Number:	
State the Type of Identifying Document: (e.g. Certificate of Incorporation issued by ACRA)	
Main Business Activity:	

(B1) Beneficial Owner's Particulars

(Note: Identify each beneficial owner of the entity or legal arrangement. Please duplicate this section B1 for as many beneficial owner(s) identified.)

Name:

NRIC/Passport/Other ID No.:

State the Type of Identification Document:
(e.g. Identity card, Passport, Work permit)

Date of Birth:

Nationality:

Occupation:

Acknowledgement

Date of Completing Form:

Address of Property in the Transaction:

Signature of Customer:

Annex E: Real Estate Salesperson's Checklist on Customer Due Diligence (CDD) for Rental Transactions

Important points to note:

1. This checklist guides real estate salespersons (RES) on the conduct of CDD to comply with the requirements of the Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021 when undertaking estate agency work.
2. The RES is required to complete the checklist for his client, e.g. if the RES represents the landlord, he is only required to complete the checklist for the landlord.
3. The RES is required to complete the checklist for every property transaction, and thereafter submit the completed checklist to his estate agent (EA).

	Activity	Tick (✓)	Remarks (if any)
Section 1: Customer's Particulars Form			
1.1	<p>The RES is required to establish a client-agent relationship with your client and inform your clients of the proposed terms of service. If you have not done so for this transaction, please state the reasons in the "Remarks" column.</p> <p><i>Pointer: The RES is encouraged to use the prescribed estate agency agreement to formalise the client-agent relationship. Client-agent relationship may also be established through email or phone text messages.</i></p>		
1.2	<p>Obtain and record your client's identifying information in the Customer's Particulars Form (Annex E1), obtain your client's acknowledgment and <u>verify</u> your client's identity. It is mandatory to do so. If it is not done, please state the reasons in the "Remarks" column.</p> <p><i>Pointer: Verify your client's identity by requesting to see and record details of documents such as his NRIC or passport. Your client's particulars and your interaction with your client will help you assess if there is suspicion of money laundering (ML) or terrorist financing (TF) activity.</i></p>		
1.3	<p>If your client purports to act on behalf of any other person, identify and verify the identity of that person and request for documents authorising your client to act on behalf of that person such as an authorisation letter or a Power of Attorney (POA). If it is not provided, do not deal with your client and consider lodging an STR if there is suspicion of ML or TF activity.</p> <p>If it is not done, please state the reasons in the "Remarks" column.</p>		
1.4	<p>Is your client a Ministry or Department, an Organ of State or a Statutory Board of the Government of Singapore?</p> <p>If your answer is "Yes", you are not required to proceed with other Sections of this checklist. Please proceed to sign off the declaration and submit the checklist to your EA.</p> <p>If you answer is "No", please continue with this checklist.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	Activity	Tick (✓)	Remarks (if any)
Section 2: Screening against UN Sanctions Lists, Terrorism (Suppression of Financing) Act ("TSOFA") and list provided by authorities (including CEA's Practice Circular (PC) on Compliance with TSOFA)			
2.1	<p>a) Screen your client against the UN Sanctions Lists. If it is not done, please state the reasons in the "Remarks" column.</p> <p><i>Pointer:</i> Screening can be done on the "United Nations Security Council Sanctions List Search" webpage at https://scsanctions.un.org/search/</p>		
	<p>b) In your screening, do you <u>suspect</u> your client to be a designated individual or entity in the lists?</p> <p><i>Pointer:</i> You may match the name, nationality, age range of the client against the information provided in the UN Sanctions Lists to determine if your client is a designated individual or entity.</p> <p>If your answer is "No", continue with section 2.2.</p> <p>If your answer is "Yes", you must file an STR and <u>cease dealing</u> with your client. You are not required to proceed with the remaining Sections of this checklist. Please proceed to sign off the declaration and submit the checklist to your EA.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2.2	<p><u>TSOFA and list provided by authorities (including CEA's Practice Circular (PC) on Compliance with TSOFA)</u></p> <p>a) Screen your client against the First Schedule of the TSOFA and list provided by authorities. If it is not done, please state the reasons in the "Remarks" column.</p> <p><i>Pointer:</i> You can download a copy of the TSOFA from https://sso.agc.gov.sg/Act/TSFA2002</p>		
	<p>b) In the screening of your client against the TSOFA and list provided by authorities, do you <u>suspect</u> your client to be a designated individual or entity under the First Schedule of the TSOFA or any list?</p> <p><i>Pointer:</i> You may match the name, nationality, age range and passport number (if available) of the client against the information provided in the First Schedule of the TSOFA and list to determine if your client is a designated individual or entity.</p> <p>If your answer is "Yes", please proceed to file an STR and continue with 2.2(c).</p> <p>If your answer is "No", please tick (✓) "NA" for 2.2(c).</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<p>c) Has your client obtained an Exemption Order under the TSOFA?</p> <p><i>Pointer:</i> Salespersons may check with your EA whether an Exemption Order has been issued to your client.</p> <p>If you answer is "Yes" or "NA", continue with section 3.</p> <p>If your answer is "No", you must cease all dealings with the client. You are not required to proceed with other Sections of this checklist. Please proceed to sign off the declaration and submit the checklist to your EA.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	

	Activity	Tick (✓)	Remarks (if any)
Section 3: To Establish Need for Customer Due Diligence (CDD)			
3.1	Are there <u>doubts</u> about the particulars of your client provided to you for this property rental transaction?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3.2	Determine if there is <u>suspicion</u> of ML/TF activity for this property rental transaction by assessing the list of red flag ML/TF indicators below.		
	a) There is adverse news concerning your client in the media.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	b) Your client appears hesitant or declines to put his/her name on any document that would connect him/her with the property.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	c) Your client attempts to hide the identity of the true client or requests that the transaction be structured to hide the identity of the true client.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	d) Your client (a tenant) is willing to rent the property at a much higher price than the market price. Please tick (✓) "NA" if you are not serving a tenant client.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	e) Your client (a tenant) is planning to rent multiple properties in a short period of time (e.g. within 6 months) Please tick (✓) "NA" if you are not serving a tenant client.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	f) Your client (a tenant) is willing to rent the property without inspecting it. Please tick (✓) "NA" if you are not serving a tenant client.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	g) Your client (a tenant) pays rent for a long duration of lease in advance. Please tick (✓) "NA" if you are not serving a tenant client.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	h) Your client (a landlord) requests the tenant to pay the rent to an unrelated third party instead of paying to the landlord. Please tick (✓) "NA" if you are not serving a <u>landlord</u> client.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
	i) There is <u>other</u> suspicion (please specify): _____ <i>Pointer: The list of red flag indicators above is not exhaustive. Please refer to Annex C for more red flag indicators.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

If your answer is “Yes” to one or more of the questions in Section 3, please disclose your suspicion by filing a Suspicious Transaction Report, and proceed to conduct CDD by completing Section 4. Thereafter, please complete the Real Estate Salesperson’s Declaration and submit Sections 1 to 4 with the completed Customer’s Particulars Form to your estate agent.

If your answers are “No” to all of the above questions in Section 3, you need not proceed to Section 4. Please complete the RES’s Declaration below and submit Sections 1 to 3 with the completed Customer’s Particulars Form to your estate agent.

RES’s Declaration: I declare that the above information provided are true, accurate and complete to the best of my knowledge and understanding.

Name of Client(s):	
Identity of Client(s): (NRIC/Passport No./Other ID)	
Select Type of Client(s):	<input type="checkbox"/> Landlord <input type="checkbox"/> Tenant
Name & Licence No. of EA:	
Name & Registration No. of RES	
Date of Completing Checklist:	
Date of Submitting to EA:	
Signature of RES:	

Please attend to Section 4 if your answer is “Yes” to one or more of the questions in Section 3.

	Activity	Tick (✓)	Remarks (if any)
Section 4: Conduct of Customer Due Diligence (CDD) Measures <i>[Note: In situations where the RES reasonably believes that conducting the below mentioned CDD measures would tip off the client, he should not pursue the CDD measures and he should file a Suspicious Transaction Report (STR)].</i>			
4.1	<u>Entity or Legal Arrangement</u> a) Is your client either an entity (such as a company or an association) or a legal arrangement (a trust)? If your answer is “Yes”, please proceed to Section 4.1(b) and (c). If your answer is “No”, please proceed to Section 4.2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	b) For a client who is an entity or legal arrangement, the RES is to understand its nature of business, <u>ownership and control structure</u> and verify the identity. If it is not done, please state the reasons in the “Remarks” column. <i>Pointer: To understand the nature of business, ownership and control structure of your client, you may rely on any of the following information but not limited to:</i> (i) Information provided by your client (e.g. Entity’s organisation chart); (ii) Information available on the entity’s website or published annual reports; (iii) Information available on the entity from public sources (e.g. annual returns and filings with ACRA); or (iv) Information obtained from or other reliable sources (e.g. research reports, third party service providers) or other forms of research. <i>Pointer: You must obtain the following information (e.g. entity’s business profile from Bizfile) to identify and verify your client’s identity:</i> (i) Name, legal form (e.g. company or partnership) and proof of existence; (ii) Instrument under which the entity or legal arrangement is constituted (e.g. Constitution of a company); (iii) The identities of Directors or the most senior executive or managing official; and (iv) The addresses of the registered office and principal place of business.		
	c) For your client who is an entity or legal arrangement, the RES is to identify and verify the identity of the beneficial owner(s) in relation to the entity or legal arrangement. If it is not done, please state the reasons in the “Remarks” column. <i>Pointer: You must obtain the following identifying information and take reasonable measures to verify the identity of each beneficial owner:</i> (i) Name (ii) Date of birth (iii) Nationality (iv) Identification number and identification type (v) Occupation <i>Pointer: To identify the beneficial owner(s) of an entity, you must:</i> (i) Identify each individual who ultimately has a controlling interest in the entity. (ii) Where there is doubt about whether each individual with controlling interest is the beneficial owner, to identify each individual who exerts control. (iii) Where such individuals cannot be identified through (i) or (ii), to identify the individuals having senior executive or managing positions in the entity. <i>Pointer: To identify the beneficial owner(s) of a legal arrangement, you must:</i> (i) For trusts – identify the settlor, the trustee(s), the protector (if any), the beneficiaries or class of beneficiaries, and any individual exercising ultimate effective control over the trust. (ii) For any other types of legal arrangements – identify the individuals in equivalent or similar positions. You must file an STR if there is any suspicion of ML or TF activity.		

4.2	<p>Screen each beneficial owner against the UN Sanctions Lists, Terrorism (Suppression of Financing) Act ("TSOFA") and list provided by authorities (including CEA's Practice Circular (PC) on Compliance with TSOFA).</p> <p><i>Pointer: You may refer to section 2 for guidance and the corresponding actions to take if you suspect any Beneficial Owner to be a designated individual or entity in the lists.</i></p>	
4.3	<p><u>Politically Exposed Person (PEP)</u></p> <p>a) Take measures to determine if your client or the beneficial owner(s) is a <u>PEP</u>.</p> <p><i>Pointer: A PEP refers to a person, whether domestic, foreign or international organisation, who is or has been entrusted with prominent public functions, e.g. government ministers, senior civil servants, senior executive of state owned corporations or senior management of international organisations, etc. Use an internet-based search engine, e.g. Google or Yahoo, to obtain news or information to determine if your client or the beneficial owner(s) is a PEP.</i></p>	
	<p>b) Is your client or the beneficial owner(s) a <u>foreign PEP</u>, a <u>family member*</u> or <u>close associate</u> of a foreign PEP?</p> <p><i>Pointer: A foreign PEP refers to a person who is or has been entrusted with prominent public functions by a foreign country. Family member means a parent, step-parent, child, step-child, adopted child, spouse, sibling, stepsibling and adopted sibling of the PEP. Close associate means an individual who is closely connected to a PEP, either socially or professionally.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.4	<p><u>Higher Risk Areas</u></p> <p>a) Is the property transaction <u>complex</u> or <u>unusually large</u>?</p> <p><i>Pointer: Complex transactions include attempts to disguise the beneficial owner(s) involved in the transaction, use of unnecessarily complex transaction structures designed to obscure the true nature of the transaction, or involving the use of multiple intermediaries for the transaction. Unusually large transactions could include a transaction priced at more than the usual or expected amount for a similar typical transaction.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<p>b) Does the property transaction have <u>no apparent economic</u> or <u>lawful purpose</u>?</p> <p><i>Pointer: Transactions with no apparent economic or lawful purpose could include using trust and company service providers to set up a number of corporate structures in multiple jurisdictions for the transaction without any apparent purpose.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<p>c) Is your client or the beneficial owner(s) in or from <u>higher risk countries or territories</u>?</p> <p><i>Pointer: The link to the list of higher risk countries or territories can be found at the Financial Action Task Force's (FATF) webpage at http://www.fatfgafi.org/countries/#high-risk</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>If your answer is "Yes" to one or more of the above questions in Sections 4.3 and 4.4, your transaction may be of higher risk. Please proceed to complete Section 4.5.</p> <p>If your answers are "No" to all of the above questions in Sections 4.3 and 4.4, you may skip Section 4.5. Please proceed to sign off the declaration and submit the checklist to your EA.</p>		
4.5	<p><u>Enhanced CDD</u></p> <p>a) As the property transaction may be of higher risk, conduct enhanced CDD measures by asking the following information from your client or the beneficial owner(s), i.e. source of funds, source of wealth and purpose of the transaction. Please indicate the findings in the "Remarks" column.</p>	
	<p>b) Seek approval from your EA to continue with the higher risk property transaction. Please indicate the decision of your estate agent in the "Remarks" column.</p>	

Reminder: Suspicious Transaction Report (STR)

[Note: During the course of carrying out estate agency work, any EA or RES who suspects or has reason to believe that any property and/or property transaction (or proposed transaction) may be connected to money laundering or financing of terrorism, must file an STR through the STRO Online Notices And Reporting (SONAR) platform in accordance with the law. The RES who intends to file an STR will need to file it through his EA via his EA's CorpPass account. STRO's guidance on the completion of the STR Form is available on <https://www.police.gov.sg/sonar>]

In your conduct of CDD for this property transaction, you must file an STR when:

- a) You face difficulty in completing CDD, e.g. your client is uncooperative such as refusing to provide information or attempting to hide information.
- b) There is indication of your client or the beneficial owner(s) (including family member or close associates of your client or the beneficial owner(s) who is a foreign PEP) being involved or linked with ML/TF activity.
- c) You reasonably believe that conducting CDD will tip off your client.
- d) There is suspicion of ML/TF activity, such as the following (you should refer to the list of red flag indicators in **Annex C**):
 - There is adverse news concerning your client or the beneficial owner(s) in the media.
 - Your client is hesitant or declines to put his/her name on any document that would connect him with the property.
 - Your client attempts to hide the identity of the true client.
 - Your client is willing to pay a higher price and is willing to transact without inspecting the property.

RES's Declaration: I declare that the above information provided are true, accurate and complete to the best of my knowledge and understanding.

Name of Client(s):	
Identity of Client(s): (NRIC/Passport No./Other ID)	
Tick (✓) Type of Client(s):	<input type="checkbox"/> Landlord <input type="checkbox"/> Tenant
Name & Licence No. of EA:	
Name & Registration No. of RES:	
Date of Completing Checklist:	
Date of Submitting to EA:	
Signature of RES:	

Annex E1: Customer's Particulars Form for Rental Transactions

Important:

Pursuant to the Estate Agent (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021, estate agents (EAs) and real estate salespersons (RESs) are required to obtain their customer's particulars for every property transaction, as part of measures to prevent money laundering and financing of terrorism.

The RES is to obtain and record your client's identity in this form, ask your client to acknowledge, and thereafter submit the completed form to your EA.

(A) Customer's Particulars (for individuals)

Name:	
NRIC/Passport/Other ID No.:	
State the Type of Identification Document: (e.g. Identity card, Passport, Work permit)	
Date of Birth:	
Nationality:	
Occupation:	

(B) Customer's Particulars [for entities (e.g. Government organisations, company, corporations or associations) and legal arrangements (e.g. a trust)]

Name:	
Country of Registration:	
Registration Number:	
State the Type of Identifying Document: (e.g. Certificate of Incorporation issued by ACRA)	
Main Business Activity:	

(B1) Beneficial Owner's Particulars

(Note: If the transaction and client risks are low, identification of beneficial owners of the entity or legal arrangement need not be performed. Otherwise, please duplicate this section B1 for as many beneficial owner(s) identified for the legal entity or legal arrangement.)

Name:	
NRIC/Passport/Other ID No.:	
State the Type of Identification Document: (e.g. Identity card, Passport, Work permit)	
Date of Birth:	
Nationality:	
Occupation:	

Acknowledgement

Date of Completing Form:	
Address of Property in the Transaction:	
Signature of Customer:	

Annex F: Items to be included in the Checklist for Ongoing Due Diligence

Estate agents (EAs) and real estate salespersons (RESs) may consider creating a Checklist on Ongoing Due Diligence for clients that they have an ongoing relationship with. The following items may be included in the checklist, which can be used in place of the Customer's Particulars Form and Real Estate Salesperson's Checklist on Customer Due Diligence (CDD).

- a) Name of client (and beneficial owner(s)) that the EA or RES has an ongoing relationship with.
- b) Brief description of the EA's or RES' business relationship with the client.
- c) How often does the EA or RES help the client with a transaction?
- d) Determine the frequency to complete the Checklist on Ongoing Due Diligence on the client using a risk based approach. For a client assessed to be of higher risk (e.g. foreign PEP), the EA and RES shall conduct ongoing due diligence on that client on a more regular basis (e.g. 6 monthly intervals).
- e) Since the last completed Checklist on Ongoing Due Diligence, are the information and documents previously obtained about the client still current? If your answer is 'no', take necessary measures to ensure that the information is kept current, and assess the need to conduct CDD for all subsequent transactions.
- f) Since the last completed Checklist on Ongoing Due Diligence, are the transactions still consistent with the EA's or RES' knowledge of the client, its business and risk profile? If answer is 'no', to identify the suspicious transactions and consider filing a Suspicious Transaction Report, and assess the need to conduct CDD for all subsequent transactions.

Annex G: List of Documents and Records to be kept

Estate agents (EAs) must retain originals or keep copies (may be in electronic format) of the following documents for at least 5 years after the business relationship is ended, or after the date of transaction. CEA's inspection of EAs' compliance with the PMLFT Regulations will include sighting the documents and any other documents relating to CDD measures.

a) Records to be retained in relation to prevention of ML/TF:

- Record of all estate agency work for which CDD was performed
- EA's Checklist on AML/CFT
- Analysis of EA's transactions with higher risk to ML/TF (e.g. Suggested Template for Risk Assessment)
- EA's communication to its RESs on the internal policies, procedures and controls on managing and mitigating identified ML/TF risks
- EA's internal compliance management arrangements detailing the dates of compliance checks, number of transactions sampled for each compliance check, and identification of the transactions that have been sampled, any audit findings (including non-compliance) and rectification measures taken
- Customer's Particulars Form
- RES Checklist on Customer Due Diligence
- Checklist on Ongoing Due Diligence
- Documents to show the client acts on behalf of another person (e.g. Letter of Authorisation, Power of Attorney)
- Documents to understand entity's nature of business, ownership and control structure information
- Each supporting document relied on in support of any information above (e.g. NRIC copy).

b) Training related records:

- Records showing RESs who have undergone training on the internal policies, procedures and controls on managing and mitigating identified ML/TF risks, dates of training and type of training received.
- Records showing the training schedule for RESs who have not been trained.
- Any correspondence or communication sent to RESs setting out the internal policies, procedures and controls on managing and mitigating identified ML/TF risks; and

c) Records pertaining to cases under investigation or which have been the subject of a Suspicious Transaction Report, for such longer period as may be necessary in accordance with any request or order from the STRO or other relevant competent authorities.

Annex H: Estate Agent's Checklist on Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT)

Important points to note:

1. This checklist serves to guide the estate agent (EA) to comply with the requirements of the Estate Agents (Prevention of Money Laundering and Financing of Terrorism) Regulations 2021.
2. The pointers in this checklist are suggested courses of action that the EA may take. They are not intended to be exhaustive and the EA should take additional actions that may be necessary and applicable to its business. The EA can choose to adopt the pointers or consider alternative measures that suit the needs of its business in complying with the Regulations.
3. The EA is advised to conduct self-assessments using this checklist periodically. When CEA conducts inspection of the EA on compliance with the Regulations, the EA is required to complete and submit this checklist to CEA.
4. In the "Elaboration" column of the checklist, the EA should provide a brief description with details of what it has done where necessary and include all relevant supporting documents if so required.
5. The EA is required to develop and implement risk sensitive internal policies, procedures and controls relating to the following matters to manage and effectively mitigate ML/TF risks:
 - a) Risk assessment and mitigation;
 - b) CDD procedures (including enhanced CDD measures and CDD for rental transactions) and ongoing monitoring (including enhanced ongoing monitoring), suspicious transaction reporting and tipping off;
 - c) Communication and monitoring implementation of the internal policies, procedures and controls;
 - d) Compliance management arrangements; and
 - e) Record-keeping.
6. The checklist should be completed by the Key Executive Officer (KEO) or a person authorised by the EA.
7. All information/documents provided must be true, accurate, current and complete as at the time of submission.

S/N	Criteria	Tick (✓)	Elaboration (if any)
Section 1: Identification, Mitigation and Documentation of Risks			
1.1	<p>Did your EA analyse its past property transactions to assess the risks of money laundering (ML) and terrorist financing (TF) in the transactions it facilitated? If yes, please elaborate on the risk analysis performed <u>and</u> the frequency of the analysis in the "Elaboration" column.</p> <p><i>Pointer: Your EA may consider using the suggested template in Annex H1 as a guide on how to analyse the past transactions.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
1.2	<p>From the risk analysis of past property transactions, what are the types of higher risk transactions that your EA will look out for? Please list the types of higher risk transactions in the "Elaboration" column.</p> <p><i>Pointer: Transactions of higher risk could include those involving foreigners including Singapore Permanent Residents, transactions of higher monetary value (e.g. S\$3million or higher), or where physical cash is used. Your EA should also consider news and typologies of ML/TF in the estate agency trade or industry provided in CEA's circulars and notices to EAs.</i></p>		
1.3	<p>Did your EA take any measure to mitigate the potential risks posed by higher risk property transactions? If yes, please provide the details in the "Elaboration" column.</p> <p><i>Pointer: Your EA may consider more frequent monitoring of such transactions.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

S/N	Criteria	Tick (✓)	Elaboration (if any)
Section 2: Customer Due Diligence (CDD)			
2.1	<p>Your RESs are required to fill in the “Real Estate Salesperson’s Checklist on Customer Due Diligence (CDD)” for every property transaction and submit it to your EA for record keeping. Please provide details on how your EA ensures that this measure is complied with, and the timeframe by which your RESs are required to submit the completed Real Estate Salesperson’s Checklists to your EA in the “Elaboration” column. If your EA did not put in place this measure, please state the reasons in the “Elaboration” column.</p> <p><i>Pointer: Your EA may consider requiring your RESs to submit the completed “Real Estate Salesperson’s Checklist on CDD” in a timely manner to your EA (e.g. before or just after the issuance of an Option to Purchase (OTP), or the signing of a Tenancy Agreement).</i></p>		
2.2	<p>Where there is a need to file a Suspicious Transaction Report (STR), does your EA require your RESs to inform the EA before the STR is filed by the EA? If yes, please elaborate on the procedures and state the identity of the person who is tasked to file the STR in the “Elaboration” column.</p> <p>Tick (✓) “NA” for your EA where the KEO is the only RES.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.	
Section 3: Internal Policies, Procedure and Controls			
3.1	<p>Did your EA develop, implement and monitor the implementation of the internal policies, procedures and controls?</p> <p><i>Pointer: Your EA must develop internal policies and procedures on AML/CFT and monitor implementation by making revisions to the policies and procedures, where necessary.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3.2	<p>Did your EA communicate the internal policies, procedures and controls to your RESs? If yes, please furnish the correspondence(s) or communication(s) sent.</p> <p><i>Pointer: Besides circulating your internal policies and procedures on AML/CFT to your RESs, your EA may consider circulating CEA’s and other authorities’ notices relating to AML/CFT to them as well.</i></p> <p>Tick (✓) “NA” for your EA where the KEO is the only RES.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.	
Section 4: Training			
4.1	<p>Did your EA ensure that your RESs undergo training on the EA’s internal policies, procedures, and controls to prevent ML/TF? If yes, please furnish records showing the attendees, date of training and the type of training that they have received in the “Elaboration” column.</p> <p><i>Pointer: The training curriculum must cover the EA’s internal policies, procedures and control, and may include courses on the prevention of ML/TF set out at CEA’s CPD microsite, http://www.cea.gov.sg/cpd</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

4.2	<p>Does your EA have plans to train your RESs who have not undergone training on its internal policies, procedures and controls to prevent ML/TF? If yes, please provide the details of your training plans and the accompanying completion timelines in the “Elaboration” column.</p> <p><i>Pointer: Your EA may consider sending your RESs to attend in-house courses or approved CPD courses on the prevention of ML/TF. Your EA may work with real estate agency industry associations or training providers to develop the relevant in-house training.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Section 5: Compliance Management

5.1	<p>Did your EA conduct internal audits and compliance checks and take appropriate rectification measures to address non-compliance? If yes, please state the frequency, and provide records to show the dates of checks with details of any incidents of non-compliance found and the follow-up actions taken to rectify the situation, and to prevent a repeat of a similar incident.</p> <p><i>Pointer: Your EA may consider having quarterly or monthly internal audits or compliance checks. (EAs with large number of transactions may consider more regular checks).</i></p> <p>For transactions identified for checks, your EA may check whether: (1) Real Estate Salesperson’s Checklist on Customer Due Diligence (CDD) and Customer’s Particulars Form is completed for each transaction; and (2) Procedures for CDD have been followed.</p> <p>The transaction identified for the audits/checks could be based on transactions identified to be of higher risk (during the risk analysis conducted in Section 1 of this checklist) and on RESs with a record of poor compliance to the procedures for preventing ML/TF.</p> <p>The follow-up actions for non-compliance could include completing the CDD as soon as possible and taking actions on the RESs concerned (e.g. warning, penalties, closer supervision by the KEO, etc.) and/or a general reminder to all RESs on the matter.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Section 6: Record Keeping

6.1	<p>Did your EA maintain records of documents of all estate agency work for which CDD was performed, information obtained through CDD, including all documents required to satisfy the Sections above for 5 years, in each instance? If yes, please state how such records are kept, in the “Elaboration” column.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Declaration (To be signed by the Key Executive Officer or an authorised person of the EA)

I declare that all information submitted to the Council for Estate Agencies on behalf of my Estate Agent are true, accurate, current and complete as at the time of submission.

Name of Estate Agent:	
Licence Number of Estate Agent:	
Name of Authorised Person:	
Designation of Authorised Person:	
Date of Assessment:	
Signature of Authorised Person:	

Annex H1: Suggested Template for Risk Assessment

This template serves to guide estate agents (EAs) in analysing their past property transactions for the conduct of risk analysis. The EA can choose to adopt the tables and criteria or have its own methodology for conducting the required risk analysis, which best suits its business needs.

This guide helps the EA to understand the nature of its transactions and hence the types of transactions that may pose a higher ML/TF risk, so that the appropriate steps to mitigate the risks can be put in place. It includes both sale and lease transactions, as ML/TF may be unwittingly facilitated by the EA and/or its RESs through these transactions.

The tables and criteria, including review of data over past 3 years and the values of S\$3 million, 3 properties and S\$10,000, are suggested figures. They serve as a guide to help the EA identify potential higher risk transactions.

For Sale and Purchase Transactions: Tables 1 and 2

1. "Total Transaction Value" refers to total value of property sales and purchases transacted in a specified year.
2. "Physical cash" refers to transactions in which physical cash were used (e.g. for payment of the option fee). Cheques and cashier orders are not considered physical cash for this purpose.
3. "S\$3 million or higher" refers to those transactions in which the property had been transacted at S\$3 million or higher.
4. "3 or more properties" refers to the transactions in which an individual or a corporate or business entity had transacted 3 or more properties for that year
5. "Number of sales and purchases" in Table 2 includes information of transactions involving both sellers and buyers.
6. "Foreigners" includes Singapore Permanent Residents.

Table 1 – Overview of Sale and Purchase Transactions for Past 3 Years

Year	Number of Transactions	Total Transaction Value (\$)
20XX		
20XX		
20XX		

Table 2 – Details of Sale and Purchase Transactions in 20XX (One table for each year)

				Local			Foreign
				Residential	Commercial	Industrial	
Number of sales and purchases	By individuals	Local	Physical cash				
			S\$3 million or higher				
			3 or more properties				
		Foreigners	Physical cash				
			S\$3 million or higher				
			3 or more properties				
	By entities	Local	Physical cash				
			S\$3 million or higher				
			3 or more properties				
		Foreign	Physical cash				
			S\$3 million or higher				
			3 or more properties				

For Lease Transactions: Tables 3 and 4

1. "Annual Rental Value" refers to the annual value of the lease (monthly rental amount multiplied by 12) transacted in a specified year.
2. "S\$10,000 or higher" refers to the transactions in which the property had been leased for a monthly rental value of S\$10,000 or higher.
3. "3 or more properties" refers to the transactions in which an individual or a corporate or business entity had transacted 3 or more properties for that year
4. "Number of leases" in Table 4 includes information of transactions involving both tenants and landlords.
5. "Foreigners" includes Singapore Permanent Residents

Table 3 – Overview of Lease Transactions for Past 3 Years

Year	Number of Transactions	Annual Rental Value (S\$)
20XX		
20XX		
20XX		

Table 4 – Details of Lease Transactions in 20XX (One table for each year)

				Residential	Commercial	Industrial
Number of leases	By individuals	Local	S\$10,000 or higher			
			3 or more properties			
		Foreigners	S\$10,000 or higher			
			3 or more properties			
	By entities	Local	S\$10,000 or higher			
			3 or more properties			
		Foreign	S\$10,000 or higher			
			3 or more properties			