



MEMO FOR BROKERS

The Philippine Stock Exchange, Inc.

- | | |
|---|---|
| <input type="checkbox"/> Trading Rules | <input type="checkbox"/> Computer Systems Update |
| <input type="checkbox"/> Membership Rules | <input type="checkbox"/> Administrative Matters |
| <input type="checkbox"/> Listing Rules | <input checked="" type="checkbox"/> Others: <u>AMLC</u> |

Subject : Anti-Money Laundering Council (AMLC) Resolution No. 18, Series of 2009

Date : May 04, 2009

Attached please find AMLC Resolution No. 18, Series of 2009 for your information and guidance.

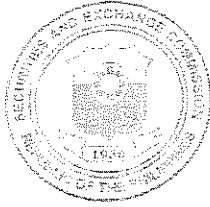
Please be further advised that the Securities and Exchange Commission requires all Trading Participants to "collate all AMLC Resolutions and make them part of their Anti-Money Laundering Operations Manual".

A copy of the above resolution may also be viewed in the Securities and Exchange Commission website at www.sec.gov.ph.



Roel A. Refran
General Counsel

Finance & Investment Div.	Market Regulation Div.	Issuer Regulation Div.	ITD/MOD	Capital Market Div.	OP / OGC
Tel. No. 688-7560/7440/7460	Tel. No. 688-7559	Tel. No. 688-7501/7510	Tel. No. 688-7405/819-4400	Tel. No. 688-7590	Tel. No. 688-7400/819-4408



Republic of the Philippines
Department of Finance
Securities and Exchange Commission
SEC Bldg. EDSA, Greenhills, Mandaluyong City

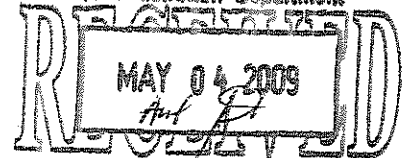
MARKET REGULATION DEPARTMENT

31 March 2009

PHILIPPINE STOCK EXCHANGE, INC.
Philippine Stock Exchange Center
Tektite Tower, Exchange Road
Ortigas Center, Pasig City
Facsimile No.: (632) 687-8811 or 6378803

Attention : **ATTY. FRANCIS ED. LIM**
President

The Philippine Stock Exchange, Inc.
Administration Department



Gentlemen:

Please be informed that we received a request from the Anti-Money Laundering Council (AMLC) for the Commission to circularize among all covered institutions under its jurisdiction **AMLC Resolution No. 18 series of 2009**. We have posted a copy of the foregoing resolution/issuance at our website, www.sec.gov.ph.

In this regard, you are hereby directed to disseminate the foregoing AMLC resolution/issuance to your members for their information and appropriate action. Furthermore, kindly require your members to collate all AMLC Resolution/issuance and make them part of their respective Anti-Money Laundering Operations Manual. Lastly, kindly submit a certification and a list of your members to whom you have sent notice on the said AMLC resolution/issuance. Thank you.

Very truly yours,

VICENTE GRACIANO P. FELIZMENIO, JR.
Officer-in-Charge



Anti-Money Laundering
Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines



RESOLUTION NO. 18
Series of 2009

In its Memorandum dated 11 March 2009, the AMLC Secretariat (AMLC) reported to the Council that:

*On 4 February 2009, the United Nations Security Council Al Qaida and Taliban Sanctions Committee approved the addition of **IBRAHIM ABDUL SALAM MOHAMED BOYASSEER** to its Consolidated List of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1¹ of Security Council Resolution 1822 (2008) adopted under Chapter VII of the Charter of the United Nations. Details of the individual included in the list are as follows:*

Name : **IBRAHIM ABDUL SALAM MOHAMED BOYASSEER;**
DOB : 1961;
POB : *Banghazi, Libyan Arab Jamahiriya;*
A.k.a. : *Abu Al-Banaan;*

¹1. *Decides* that all States shall take the measures as previously imposed by paragraph 4(b) of resolution 1267 (1999), paragraph 8(c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, or by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfillment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities.

Address : Ireland;
Listed on : 4 Feb. 2009;
Other information : A close associate of Usama Muhammed Awad Bin Laden (listed under permanent reference number QI.B.8.01.). Involved in supporting Al Qa'ida and Al Qa'ida associated groups, including the Libyan Islamic Fighting Group (QE.L.11.01.) and Al-Jihad/Egyptian Islamic Movement (QE.A.3.01.), through funding and media relations.

The inclusion of **IBRAHIM ABDUL SALAM MOHAMED BOYASSEER** in the list of the UN Security Council validates his being associated with terrorists.

United Nations Security Council Resolution (UNSCR) 1373 adopted by the Security Council at its 4385th meeting on 28 September 2001 provides:

“Acting under Chapter VII of the Charter of the United Nations,

1. Decides that all States shall:

(a) Prevent and suppress the financing of terrorist acts;

(b) Criminalize the willful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;

(c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;

(d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons."

Section 7(1) of R.A. 9160, as amended, provides:

"SEC. 7. Creation of Anti-Money Laundering Council (AMLC) - The Anti-Money Laundering Council is hereby created and shall be composed of the Governor of the Bangko Sentral ng Pilipinas as chairman, the Commissioner of the Insurance Commission and the Chairman of the Securities and Exchange Commission as members. The AMLC shall act unanimously in the discharge of its functions as defined hereunder:

(1) to require and receive covered or suspicious transaction reports from covered institutions;"
(emphasis supplied)

Moreover, the Revised Implementing Rules and Regulations of the Anti-Money Laundering Act of 2001, as amended, provide:

"Rule 13.7.2. Authority to Assist the United Nations and other International Organizations and Foreign States. – The AMLC is authorized under Section 7 (8) and 13 (b) and (d) of the AMLA to receive and take action in respect of any request of foreign states for assistance in their own anti-money laundering operations. **It is also authorized under Section 7 (7) of the AMLA to cooperate with the National Government and/or take appropriate action in respect of conventions, resolutions and other directives of the United Nations (UN), the UN Security Council, and other international organizations of which the Philippines is a member.** However, the AMLC may refuse to comply with any such request, convention, resolution or directive where the action sought therein contravenes the provision of the Constitution or the execution thereof is likely to prejudice the national interest of the Philippines." (emphasis supplied)

As a charter member of the United Nations and as part of the international coalition against terrorism, the Philippines, through the Anti-Money Laundering Council, must actively support the actions required under the subject UNSC Resolutions.

The Council resolved to:

(1) Direct all covered institutions to submit to the Anti-Money Laundering Council reports of covered or suspicious transactions, if any, involving **IBRAHIM ABDUL SALAM MOHAMED BOYASSEER**; and

(2) Request the Supervising Authorities to disseminate copies of this Resolution to all covered institutions under their respective jurisdictions.

18 March 2009, Manila, Philippines.



AMANDO M. TETANGCO, JR.
Chairman
(Governor, Bangko Sentral ng Pilipinas)



FE B. BARIN
Member

(Chairman, Securities and Exchange Commission)



EDUARDO T. MALINIS
Member

(Commissioner, Insurance Commission)