



FINANCIAL INTELLIGENCE AUTHORITY

CLIENT CHARTER

2020/21 – 2024/25

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FOREWORD

The Anti-Money Laundering Act, 2013 (as Amended) under Sections 20 and 21 provides for the functions and the general powers of the Financial Intelligence Authority. This Charter sets out the levels of service standards that its Clients should expect from the Authority. It is the desire of the Authority to provide the expected services in the most efficient and effective manner.

The Charter will enable citizens to know the objectives for which the Authority was established, its functions and its general powers. Most importantly, the Charter outlines how the services provided by the Authority can be accessed so that all our Clients can be served with utmost satisfaction.

Finally, the Charter specifies how the services of the Authority can be accessed by our Clients thereby enhancing transparency, performance and accountability.

Clients are invited to read the Charter, internalize and use it as a reference for purposeful engagement with the Authority. The Clients and the public as a whole are invited to provide feed-backs making suggestions on how the Authority can further improve to meet their expectations.

Leo Kibirango

Chairperson, Financial Intelligence Authority Board.

PREAMBLE

The Financial Intelligence Authority is an autonomous institution of Government, responsible for taking the lead in the fight against money laundering and terrorism financing. It therefore contributes to the fight against financial crime and thereby ensures the stability of the financial system.

The purpose of the Client Charter is to improve service delivery by the Authority. The Charter spells out the mandate, functions and general powers of the Authority. It also explains the key results-areas, our service standards and identifies our Clients and the mechanisms for accessing the services of the Authority, handling of the complaints and the feed-back.

The major services offered by the Authority are in support of law enforcement throughout the law enforcement chain and provide policy direction and guidance in aspects of Anti-Money Laundering and Control of Financing of Terrorism. The Charter has been developed through a consultative process within the Authority and with our stakeholders.

I thank all our Clients, Stakeholders and Staff who put in their best efforts to develop this Charter.

Sydney Asubo

Executive Director, Financial Intelligence Authority.

1. INTRODUCTION

The Financial Intelligence Authority (FIA) is an autonomous public institution established under section 18 of the Anti-Money Laundering Act, 2013.

This Charter presents the service commitments of the Financial Intelligence Authority to its clients. These commitments have been agreed and are binding to all members of staff of FIA. The Charter sets out the mandate, the Mission, Vision, Values with Operating Principles and service commitments of the FIA.

2. MANDATE

The mandate of the Authority is to detect and deter money laundering and terrorist financing by providing information relating to financial transactions to law enforcement and competent authorities to support investigation and prosecution of money laundering, terrorist financing and other related crimes. The specific objectives of the Authority as provided under section 19 of the Anti-Money Laundering Act, 2013 are to;

- i. Enhance the identification of proceeds of crime and the combating of money laundering;
- ii. Ensure compliance with the Anti-Money Laundering Act (AMLA), 2013;
- iii. Ensure public awareness and understanding of matters related to money laundering;
- iv. Make information collected by it available to competent authorities and facilitate the administration and enforcement of the laws of Uganda; and
- v. Exchange, spontaneously or upon request, any information with similar bodies of other countries that may be relevant for processing or analyzing of information relating to Money Laundering/Terrorism Financing.

3. OUR MISSION

To be a centre of excellence in combating money laundering and terrorist financing.

4. OUR VISION

To foster the integrity of the financial system through effective detection and prevention of financial crimes.

5. FUNCTIONS OF THE AUTHORITY

The functions of the Financial Intelligence Authority are provided under section 20 of the Anti-Money Laundering Act, 2013 (as amended). They are;

- i. To receive, process, analyse and interpret information disclosed to it and obtained by it in terms of the Act;

- ii. To disseminate, either spontaneously or upon request, information and the results of its analysis to any relevant competent authority in Uganda and if the analysis and assessment shows that a money laundering offence, a terrorism financing offence or a crime has been, or is being committed, to send a copy of the referral or information to the relevant supervisory authority.
- iii. To inform, advise and cooperate with other competent authorities;
- iv. To give guidance to accountable persons, competent authorities, and other persons regarding compliance with the provisions of the Act;
- v. To retain the information¹ referred to in paragraph (i) above in the prescribed manner for a period of at least ten years;
- vi. To be responsible for the collection of fines adjudicated under the Act;
- vii. To issue guidelines to accountable persons not under the jurisdiction of supervisory authorities in relation to customer identification, record keeping, reporting obligations and the identification of suspicious transactions; and
- viii. To provide training programs for accountable institutions in relation to customer identification, record keeping, reporting obligations and the identification of suspicious transactions.

6. GENERAL POWERS OF THE AUTHORITY

The powers of the Financial Intelligence Authority are provided under section 21 of the Anti-Money Laundering Act, 2013 (as amended). These powers are;

- a) Establish its own structure, staffing levels and the terms and conditions of service as determined by the Board and approved by the Minister;
- b) Assign employees and seconded personnel to particular posts within the Authority;
- c) Establish rules and procedures for career development and disciplining of staff;
- d) Manage the Authority's finances and assets;
- e) Obtain the services of any person by agreement, or from any government agency to perform any specific act or function;
- f) Enter into contracts and acquire or dispose of any right in or to property;
- g) Open and operate its own bank accounts;
- h) Insure itself against any loss, damage, risk or liability;
- i) Engage in any lawful activity, whether alone or together with any other organisation in Uganda or elsewhere, aimed at promoting its objectives;
- j) Obtain any information from accountable persons, supervisory agencies and law enforcement agencies in the performance of its functions in accordance with the Act;
- k) Instruct any accountable person to take such steps as may be appropriate in relation to enforcing compliance with the Act or to facilitate investigations anticipated by the Authority;

¹ The information retained in accordance with the Act shall only be destroyed with the approval of the Minister.

- l) In accordance with the provisions of the Act enter the premises of any accountable persons during ordinary business hours to inspect for compliance with provisions of the Act;
- m) Make copies of the records found in the possession of any accountable person;
- n) Send a report of the activities of any accountable person to a competent authority if the Authority determines that there is an element of money laundering or terrorism financing;
- o) In accordance with the provisions of the Act, halt any financial activity in the event that a suspicious warning has been reported to the Authority;
- p) Require any accountable person to carry out a risk-based assessment of his or her customers as may be prescribed by regulations made under the Act;
- pa) Impose administrative sanctions on an accountable person who fails to comply with directives, guidelines or requests issued by the Authority;
- pb) Register accountable persons;
- pc) Keep a register of accountable persons;
- pd) Coordinate a national risk assessment on anti-money laundering and financing of terrorism;
- q) Do anything that is incidental to the exercise of any of its powers;
- r) To supervise, monitor and ensure compliance of this Act by all accountable persons in consultation with respective regulatory authorities.

7. OUR VALUES

The Authority will be guided by the following values in the execution of our duties:

a) Integrity

We shall aspire to the highest ethical standards of honesty, respect, and fairness in support of the shared and collective common good and having regard for the public interest and relevant circumstances of the case.

b) Confidentiality

We shall respect the value and ownership of information we receive and undertake not to disclose any information without the permission of the appropriate authority.

c) Professionalism

We shall apply high standards in execution of our mandate, working with impartiality to serve all persons in a practical, diligent, timely and rigorous result driven manner.

d) Accountability

We shall be accountable to the public for all our decisions and actions and bound ourselves with ethical obligations to all to our stakeholders and Ugandans at large.

e) Transparency

We shall conduct ourselves with openness and honesty and ensure a corruption free environment in all aspects of our work.

f) Teamwork

We shall work together in a team-spirit within the Authority and with our stakeholders.

8. KEY RESULT AREAS

Our key result areas are:

- a) Enhancing the identification of proceeds of crime;
- b) Increasing compliance with the AML Act;
- c) Increasing public awareness and understanding of matters related to money laundering and terrorism financing;
- d) Improving the collection and dissemination of information to competent Authorities;
- e) Strengthening international cooperation; and
- f) Strengthening the capacity of staff of the Authority to effectively and efficiently deliver its mandate.

9. COMMITMENTS

We set ourselves to meet the following Commitments in the medium term (2020/21 – 2024/25)

Enhancing the identification of the proceeds of crime

We shall:

- a. Strengthen our staff capacity in financial intelligence gathering.
- b. Enhance efficiency by leveraging on technology.
- c. Strengthen domestic cooperation and partnerships with law

- enforcement agencies, competent authorities and other stakeholders.
- d. Promote an effective feedback mechanism on financial intelligence disseminated to Law Enforcement Agencies and Competent authorities.
 - e. Undertake to integrate the various FIA databases
 - f. Increase training of accountable persons to improve the quality of reports that they file.
 - g. Undertake typologies/trends analysis to understand the ML/FT risk exposures in various sectors of the economy so as to be able to propose effective mitigation measures to address the risks.
 - h. Enhance the performance of the goAML electronic system
 - i. Enhance data sharing through secure data links

Increasing compliance with the AML Act

We shall:

- a. Improve and strengthen AML/CFT Regulation and Supervision Framework taking cognizance of emerging technologies while applying a risk-based approach.
- b. Enforce measures to address risks and threats of ML/TF identified in the National Risk Assessment and Mutual Evaluation Reports in Supervised Financial Institutions and Designated Non-Financial Businesses and Professions (DNFBPs).
- c. Establish procedures to enforce administrative sanctions against reporting entities that fail to comply with AMLA, 2013 (as amended).
- d. Establish a framework for undertaking joint AML/CFT supervision with regulators of accountable persons.
- e. Develop and operationalize a manual for conducting AML/CFT off-site and on-site Inspections of accountable persons.
- f. Establish a mechanism for ensuring that accountable persons address AML/CFT deficiencies identified during onsite and offsite inspections.
- g. Develop sector-specific guidelines on AML/CFT for DNFBPs.

- h. Vigorously pursue the registration of accountable persons in line with AMLA, 2013 (as amended).
- i. Develop a framework for enforcing AML/CFT obligations in non-regulated sectors.
- j. Participate in amending other relevant laws to enhance the AML/CFT legal framework in Uganda.

Improving collection and dissemination of information to competent Authorities

We shall:

- a. Establish mechanisms for efficiently acquiring critical information to support analysis.
- b. Establish a framework to effectively disseminate intelligence reports to Competent Authorities and Law Enforcement Agencies.
- c. Establish a robust data management system.
- d. Establish a mechanism to access various databases held by other government agencies to support our analysis function.
- e. Enhance the capacity of inspection teams to identify AML/CFT information gaps/deficiencies.

Strengthening International Cooperation

We shall:

- a. Strengthen partnerships with stakeholder-international bodies to ensure that FIA meets FATF AML/CFT/CPF standards.
- b. Exploit our membership to Egmont Group to optimize exchange of information with other jurisdictions through the Egmont Secure Web to support global efforts in combating ML/TF
- c. Strengthen a framework to coordinate implementation of FATF – ICRG recommendations on Uganda.

Increasing public awareness and understanding of matters related to Money Laundering and Terrorism Financing.

We shall:

- a. Establish a strategy for effectively conducting public awareness programs to deepen understanding of AML/CFT issues.
- b. Review the Communication Strategy to align it with emerging social media platforms to deepen AML/CFT public awareness
- c. Design and implement outreach programs targeting Accountable Persons/Reporting entities and LEAs.

Strengthening the Capacity of FIA staff to Conduct Integrity and Financial Due Diligence (FDD).

We shall:

- a. Strengthen an operational framework for conducting Integrity and FDD.
- b. Strengthen the capacity of our IT department to leverage on technology and establish a mechanism to efficiently acquire critical information to support Integrity and FDD.
- c. Undertake on-going staff training to increase capacity to effectively conduct FDD.

10. STANDARDS OF SERVICE

We shall:

- a) Provide quality customer care and service, from 8:30am to 5:00pm – Monday to Friday.
- b) Respond to correspondences within two days of receipt and if they are sent through electronic platforms, within one day.
- c) Answer phone calls by the third ring.
- d) Prepare statutory reports within the deadlines set in the relevant laws (AMLA, 2013 and PFMA, 2015).
- e) Compile and distribute minutes of meetings held within three days of holding such a meeting.

11. OUR CLIENTS

Our clients include but are not limited to the following:

- a. Accountable Persons
- b. Competent Authorities
- c. Law enforcement agencies
- d. Regulatory authorities
- e. Ministries, Departments, Agencies and Local Governments
- f. General Public
- g. Academia and Researchers
- h. Suppliers of goods and providers of services
- i. FATF, EGMONT and other Regional and International Stakeholders

12. CLIENTS' EXPECTATIONS

Our clients shall expect the following from us:

- a) Confidentiality of information that relate to specific transactions in accordance with the law.
- b) Be treated with respect, impartiality and courtesy.
- c) Adequate and timely attention and response to issues and concerns raised.
- d) Timely payment of goods supplied and services provided.
- e) Appropriate advice and guidelines given in accordance with the law.
- f) Timely, accurate and comprehensive intelligence information and reports generated and disseminated.

13. CLIENTS' OBLIGATIONS

Our clients shall have the following obligations:

- a) Supporting the AML/CFT initiatives in fighting financial crimes for a safer and stable financial system.
- b) Be knowledgeable on laws and regulations relating to AML/CFT.
- c) Compliance with the AML/CFT laws and the guidelines issued from time-to-time.
- d) Providing timely, correct and accurate information for expeditious analysis and follow-up.
- e) Value for money in respect of goods and services supplied.
- f) Participation in scheduled engagements (meetings, workshops, trainings, briefings, etc.)
- g) Vigilance in reporting inadequacies, issues, complaints/concerns with the performance of the staff of the Authority
- h) Mutual respect for staff

14. FEED-BACK

We shall always welcome constructive criticism and advice. It is important to us to be able to address the concerns of our stakeholders and work towards improving our services and deliverables. Should any stakeholder have a suggestion, complaint or advice, the Authority is hereby encouraging the use of the following channels:

- a) Writing to the Executive Director, Financial Intelligence Authority, P.O Box 9853, KAMPALA.
- b) Hand deliver a written complaint, suggestion or advice to the offices of Financial Intelligence Authority, located on Plot 6, Nakasero Road, 4th Floor Rwenzori Towers (Wing B) to the office of the Executive Director. The same can also be dropped in the suggestion box located at the entrance to the offices.
- c) Send an e-mail, using the email address; fia@fia.go.ug, for attention of the Executive Director. Entities registered on the goAML platform are encouraged to send their emails through goAML.
- d) Annual Performance Review fora under the Office of the Prime Minister.
- e) Ministerial Policy presentation fora arranged by the Committee of Parliament on Finance, Planning and economic Development (for members of Parliament).
- f) Annual Programme Working Group Review fora.

15. COMPLAINTS AND APPEALS MANAGEMENT

Clients with complaints shall:

- a) Raise the matter with the concerned officer, with the help of our Receptionist.
- b) Appeal to the Executive Director or in his absence, the Deputy Executive Director.
- c) Contact the designated client charter officer, the Head of Public Relations, with the help of our Receptionist.
- d) Write a formal complaint, in a letter addressed to Executive Director, FIA, P.O Box 9853, KAMPALA.
- e) Write a formal complaint in an email, addressed to the Executive Director at; fia@fia.go.ug.
- f) Complaints raised in (a) to (c) above should be delivered to our physical address below;

Plot 6, Nakasero Road
 4th Floor, Rwenzori Towers (Wing B)
 P.O Box 9853, KAMPALA
 Tel: +256 417 892600
 Website: www.fia.go.ug
 Email: fia@fia.go.ug

16. PERFORMANCE ACCOUNTABILITY AND REPORTING

We shall report and account to our clients through:

- a) Provision of Annual Reports
- b) Provision of Quarterly Performance Reports
- c) Provision of Annual Ministerial Budget Policy Statement to Parliament

- d) Hosting of relevant information/reports on performance on our website (www.fia.go.ug) and social media platforms, like twitter (@FIAUganda <https://twitter.com/ThefiaU>).
- e) The print media as deemed necessary.

17. PERFORMANCE IMPROVEMENT

The Board and Staff of the Financial Intelligence Authority commit ourselves to the above principles and service standards and pledge to undertake continuous improvement in accordance with current and evolving AML/CFT terrain and consistent with emerging technologies.

We commit to implement this Charter.

For God and Our Country.