



GOVERNMENT OF BERMUDA

MINISTRY OF FINANCE

PATI Information Statement

Name of Public Authority: Office of NAMLC

Introduction:

- The general purpose of the Public Access to Information Act 2010;

Section 2 of the Public Access to Information Act 2012, provides that its purpose is to-

- (a) give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others;
- (b) increase transparency, and eliminate unnecessary secrecy, with regard to information held by public authorities;
- (c) increase the accountability of public authorities;
- (d) inform the public about the activities of public authorities, including the manner in which they make decisions; and
- (e) have more information placed in the public domain as a matter of routine.

- The reason that the public authority has an information statement;

Section 5 of the Public Access to Information Act 2010 requires every public authority in Bermuda to produce an information statement.

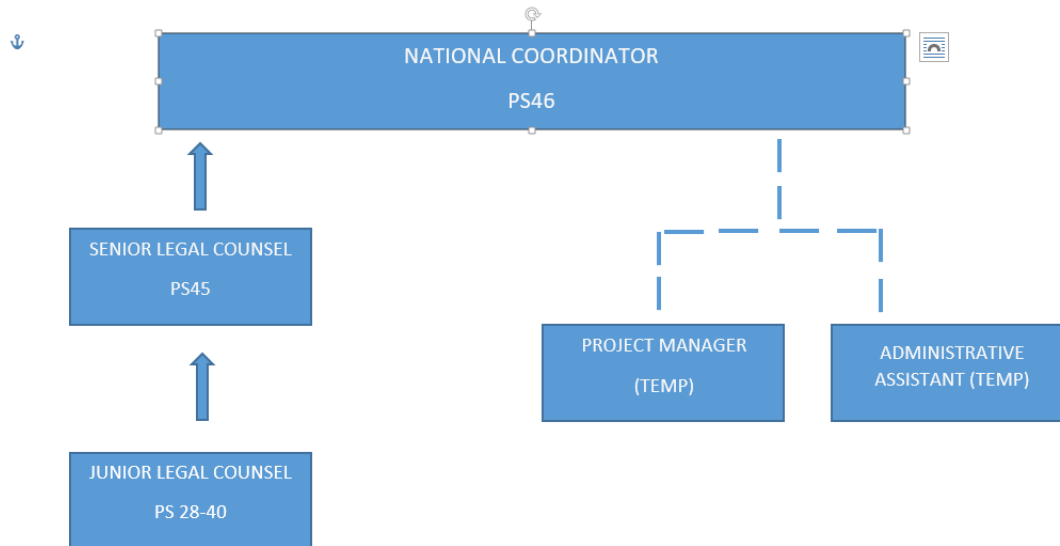
- The purposes and aims of the information scheme, and what the public authority hopes to achieve through the information statement;

The purpose and aim of the information scheme is to facilitate the access of key information about the Ministry of Finance's activities, particularly those that pertain to the Office of NAMLC.

- Summary of what is in the information statement;

The information statement includes: the organizational structure of the Unit; contact details for the information officer, locations of the information statement; a summary of the functions and responsibilities for the Office, the governing legislation; types of information and records held and priorities for 2018/2019.

Section A: Structure, Organization and Legislation [s5(1)a]



Legislation:

- Proceeds of Crime Act 1997
 - Anti-Terrorism (Financial and other Measures) Act 2004
 - Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008
- Proceeds of Crime(Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Regulations 2008

Section B: I) Functions, powers, duties of the Authority [s.5(1)b]

The Office of NAMLC was established as a unit within the Ministry of Legal Affairs, in or about 2009, in order to provide secretariat support to the Committee and to carry out the coordination functions of the Committee. Since October 2017, portfolio responsibility for the administrative oversight of the Office has shifted to the Minister of Finance and as such the Office is now a unit within that Ministry.

NAMLC is established by section 49 of the Proceeds of Crime Act 1997 and its functions are:

- to advise the Minister of Legal Affairs and the Minister of Finance in relation to the detection and prevention of money laundering, terrorist financing and the financing of proliferation, and on the development of a national plan of action to include recommendations on effective mechanisms to enable the competent authorities in Bermuda to coordinate with each other concerning the development and implementation of policies and activities to combat money laundering, terrorist financing and the financing of proliferation;

- to advise the Minister of Legal Affairs and the Minister of Finance as to the participation of Bermuda in the international effort against money laundering, terrorist financing and the financing of proliferation; and
- to advise the Minister of Legal Affairs and the Minister of Finance in the development of policies to combat money laundering, terrorist financing and the financing of proliferation.

In order to support the Committee in carrying out its functions, the Office:

- manages and coordinates meetings of the Committee and its various working groups;
- coordinates and manages the legislative program of the Committee from the development of national policy through to the enactment of legislation;
- facilitates cooperation between the member agencies of the Committee on national AML/ATF initiatives such as:
 - National ML/TF Risk Assessments
 - Development of National AML/ATF Policies and corresponding National AML/ATF Action Plan & Strategy
 - Self-Assessment exercises
 - preparation for Bermuda's mutual evaluations related AML/ATF training

Where appropriate, the Office facilitates reporting by member agencies of the Committee to responsible Ministers and to Cabinet in relation to their execution of national and agency AML/ATF initiatives.

As a secretariat to the Committee, the Office has no separate decision-making powers.

For 2018/2019 the priority of the Office is to support the preparations for the 2018 mutual evaluation and to coordinate and manage the activities necessary for Bermuda's mutual evaluation during 2018.

Section B: 2) Obligations under PATI Act [s5(1)b]

- To provide an **information statement** for the public and promulgate it [s. 5],
- To provide **other information** (where appropriate) to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s. 6]. This other information includes:
 - General information, e.g. activities of the Authority
 - Log of all information requests and their outcome
 - Quarterly expenditure (upon request) [s. 6(5)]
 - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [ss.12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s. 9]
- To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s. 19]
- To conduct an **internal review** if formally requested [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, s. 47(4)], or for **judicial review** [s. 49], if required

- To provide an **annual written report** to the Information Commissioner of the status of information requests [s. 58(3)].
- **To do anything else as required** under the PATI Act and subsequent Regulations [ss. 59 & 60], including:
 - **Fees** for Requests for information
 - Management and maintenance of **records**
 - **Procedures** for administering the Act
- To **train staff and make arrangements** so as to facilitate compliance with the Act [s. 61]
To **designate one of its officers** to be the person to whom requests are directed [s. 62]

Section C: Services and Programmes [s. 5(1)c]

Not Applicable

Section D: Records and documents held [s. 5(1)d]

- Administrative
- Advisory
- Compliance (not applicable)
- Financial
- Legislative
- Policy

Section E: Administration (all public access) manuals [s. 5(1)e]

Not Applicable

Section F: Decision-making documents [s. 5(1)f]

Not Applicable



Section G: The Information officer [s. 5(1)g]

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Section H: Any Other Information [s. 5(1)h]

Not Applicable

Section I: Any Other Information To be Provided? [s. 5(1)i]

Not Applicable

Section J: Information Statement: Copies and Updates [s. 5(2), (3), (4), (5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times [s. 5(1) – (5)]:

Date Information Statement was updated: 15 June 2018

Locations of Information Statement:

- Your principal office: (2nd Floor Government Administration Building) Y
- The Bermuda National Library; Y
- The Bermuda Archives; Y
- Available electronically: Y
 - Website for public authority (<https://www.gov.bm/ministry/finance>) Y
- Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Y
- With the Information Commissioner. Y

Sign and Date: