



Factsheet for the suspicious activity reporting forms

The Swiss defensive measures against money laundering divide the situations which have to be reported to their degree of suspicion which are the „well-founded suspicion“ and the „simple suspicion“. Depending on the degree of suspicion the financial intermediaries report their suspicion to the Money Laundering Reporting Office Switzerland (MROS) according to one of the relevant legal provisions ([Art. 9, Anti Money Laundering Act, AMLA](#) and [Art. 305^{ter} paragraph 2, Swiss Criminal Code, SCC](#)).

To file a report to MROS, the [reporting forms](#) provided on the homepage of the Federal Office of Police fedpol are to be used:

The forms are structured as follows:

0. Sender
1. Data on the business relation
2. Reason(s) for filing the report and/or for the clarifications resulting in filing the report
3. Fact / transaction arousing suspicion
4. Enclosures

In case of a transmission to the law enforcement authorities, the covering page with the information concerning the sender will not be transmitted.

The receipt of the SAR can only be confirmed once MROS has received the duly filled in form, as well as all additional documents necessary to analyse the case (see art. 4 in conjunction with art. 3 and 3a MROSO). Please consider in this regard, the explanations under section 4 «Enclosures».

Advices on using the form

The data fields / questions in the form are not to be deleted nor altered (exceptions see below). Information which cannot be recorded in the data fields is to be explained under section 3 in the free text section.

The following modifications of the form are requested:

- When reporting several contracting parties, the whole section 1 is to be duplicated. If a natural person or legal entity has more than one account / business relation, this person or legal entity is to be recorded as one contracting party.
- Section 1.2: additional rows can be added to section 1.2 if needed.

- Section 1.4: the unneeded data block (natural person or legal entity) can be deleted.
- Section 1.5 can be duplicated if there is more than one beneficial owner / controlling person.
- Section 1.6 can be duplicated if there is more than one person with power of attorney.
- Section 1.7 can be duplicated if there are additional third parties involved.

Further clarifications on certain data fields / questions:

- „E-mail“ of the sender: This e-mail address will only be used for communication of non-sensitive data.
- Section 1.1 „Place of business relation“: the branch where the relation has been opened or from where the relation is being managed (e.g. according to the account opening documents) should be mentioned here.
- Section 1.2 „Data on reported assets“: if the entire client relation is reported, the sum of all assets (accounts, security deposits, loans, etc.) is to be listed. If only a specific account is reported, solely the balance of this account is to be reported. Assets in foreign currencies are to be reported in Swiss francs (conversion at current exchange rate).
- Section 1.3 „Data on politically exposed persons (PEP) according to Art. 2a AMLA“: with regard to the term „third party“: in this field the financial intermediary mentions persons who qualify as PEP and are somehow involved in the business relation either as a person close to the contracting party, the beneficial owner, the power of attorney holder / authorized signatory or as e.g. beneficiary of a transaction.
- Section 1.5 „Data on beneficial owner / controlling person“: generally, for legal entities / companies one or more natural person(s) are to be recorded as beneficial owners (for domiciliary companies) or controlling person (s) (for operating companies) (see also [CDB 20](#)).
- Section 1.7 „Data on third parties involved“: if relevant for the case, data on third parties (e.g. known business partners of the contracting party, beneficiaries or ordering parties of transactions) are to be recorded in this section.
- Section 2.2 „Details on suspected predicate offence(s)“: this section is to be completed according to available information and presumption.
- Section 4 „Enclosures“: the documents in bold are mandatory and have to be enclosed to the report. In the absence of certain documents, MROS reserves the right not to confirm the reception of the report (see art. 4 para. 1 in conjunction with art. 3 and 3a MROSO). In addition, for the “financial transactions during the relevant period of time of the suspicion” (see art. 16 para. 1 letter a MROSO), we request you to use the Excel spreadsheet made available and to attach it to the suspicious activity report, physically (printed) or electronically (data-carrier medium).

General instructions on the suspicious activity reports:

- Please do not mention MROS employees by name on the reporting form.
- In order to a clear distinction between last name and first name, please write the last name of the mentioned persons in capital letters.
- Whenever possible, please print / copy the report and the enclosures single sided and do not use staples.
- For the sake of simplicity only the masculine form is used throughout the suspicious activity reporting form but should be taken to refer to persons of both genders.
- The enclosures submitted should be limited to those referring to the reported business relationships. A natural person or a legal entity listed under section 1.7 is not considered as reported.

Further information for financial intermediaries:

- The decision on reporting a business relation lies with the financial intermediary alone. MROS shall not make any recommendations.
- MROS shall not make any recommendations or give any advice regarding the execution of transactions or the handling of customer inquiries. Please refer to Art. 32 and 33 of the AMLO-FINMA as well as Art. 9a AMLA.
- The publication „[MROS's practice](#)“ addresses questions regarding the legal interpretation of the Anti Money Laundering Act as well as questions regarding formal and material aspects of suspicious activity reports.