



TREC No. 143

SAAO Capital Private Limited

KYCC & CDD Guidelines

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APPROVED BY THE BOARD OF DIRECTORS OF SAAO CAPITAL PRIVATE LIMITED.

Guidelines for SAAO Capital employees/management for developing effective Know Your Customer (KYC) and Customer Due Diligence (CDD) policies and procedures as per amended regulations at the KSE.

The policy guidelines issued by the KSE and SECP will serve as a basis for SAAO Capital Private Limited in curating our policy and procedures for developing an in-house “check” mechanism ensuring risk mitigation in customer due diligence.

The KYC/CDD policy, at minimum, must provide for the following:

- a. Customer Identification
- b. Risk assessment of customer
- c. Circumstances where Enhanced Due Diligence is required
- d. On-going due Diligence
- e. Circumstances where simplified Due Diligence can be adopted
- f. Compliance function
- g. Data retention
- h. Training and employee screening

3. Customer identification

SAAO Capital will ensure that no anonymous accounts or accounts that are obviously in the name of fictitious persons are opened or maintained. SAAO Capital must take all reasonable steps to confirm the true identity of the prospective client and to collect all relevant information to ascertain the identity of the real controlling party of the trading account. For this purpose, minimum set of documents as prescribed by SECP from time to time must be obtained. SAAO Capital may obtain any additional documents where considered necessary.

SAAO Capital shall determine whether a customer is acting on behalf of another person. In such cases steps should be taken and all the relevant documents should be obtained to determine the true identity of that person.

For legal persons, SAAO Capital must take reasonable measures to understand the beneficial ownership and control structure of the customer. For this purpose, SAAO Capital shall seek to identify the natural persons with controlling interest and who constitute the mind and management of the legal person or arrangement.

For legal persons, SAAO Capital shall verify that person purporting to act on behalf of the customer is so authorized.

SAAO Capital must ensure that accounts of Institutions/ body corporate are not opened in the individual name of any employee/ official. Government accounts should not be opened in the personal names of Government officials. Any such account, which is to be operated by an officer of is to be operated by

an officer of the Federal/Provincial/Local Government in his/her official capacity, shall be opened only on production of a special resolution/ authority from the concerned administrative department duly endorsed by the Ministry of Finance or Finance Department of the concerned Provincial or Local Government.

SAAO Capital should obtain and document sufficient information on the purpose and intended nature of the account to be opened/ maintained with them and develop a profile of the customer based on results of customer identification and the risk assessment. Information regarding the intended investment plan of the customer must also be obtained to the extent possible and should be documented.

SAAO Capital must obtain sufficient information to determine the expected source of funding for the account, particularly whether the client shall be receiving/ remitting funds in foreign currency.

In addition to the requirements mentioned above, SAAO Capital must ensure that all receipts and payments to the customers above the prescribed threshold must be through cross cheques, bank drafts, pay orders or other crossed banking instruments. For exceptional circumstances where it becomes necessary for a SAAO Capital to accept cash from a customer, reporting of such instances with rationale should be made immediately to the exchanges.

SAAO Capital shall ensure physical presence of the customer at the time of opening of account. In case of off-shore clients or clients in cities where the SAAO Capital does not have a branch, SAAO Capital must apply appropriate procedures, such as verification by a reliable third party, confirmation from previous SAAO Capital of the clients etc. When obtaining confirmation from the third parties in different jurisdictions SAAO Capital must consider whether that jurisdiction is following the FATF recommendations.

4. Risk Assessment

- 4.1 SAAO Capitals must perform a risk assessment of all the existing and prospective customers on the basis of information obtained regarding their identity, nature of income, source of funding, location etc and based on the results of such assessment, categorize their customers among high risk, medium risk and low risk customers. SAAO Capital should develop clear guidelines for identification of High Risk customers which include:
- i. non-resident customers;
 - ii. legal persons or arrangements including non-governmental organizations; (NGOs) / not-for-profit organizations (NPOs) and trusts / charities;
 - iii. customers belonging to countries where CDD / KYC and anti-money laundering regulations are lax or if funds originate or go to those countries;
 - iv. Customers whose business or activities present a higher risk of money laundering such as cash based businesses;

- v. customers with links to offshore tax havens;
- vi. high net worth customers with no clearly identifiable source of income;
- vii. there is reason to believe that the customer has been refused SAAO Capital services by another brokerage house;
- viii. Non-face-to-face / on-line customers;
- ix. establishing business relationship or transactions with counterparts from or in countries not sufficiently applying FATF recommendations; and
- x. Politically Exposed Persons (PEPs) or customers holding public or high profile positions

4.2 Politically Exposed Persons" (PEPs) are individuals who are or have been entrusted with prominent public functions for example senior politicians, senior government, judicial or military officials, senior executives of state owned corporations, important political party officials. Business relationships with family members or close associates of PEPs involve reputational risks similar to those with PEPs themselves. The definition is not intended to cover middle ranking or more junior individuals in the foregoing categories

4.3 SAAO Capital should conduct a self assessment for money laundering and terrorist financing risk, identifying and documenting the key risks presented to it by virtue of its business model, types of customers and geographical placement.

5. Enhanced Due Diligence

SAAO Capital should apply Enhanced Due Diligence (EDD) when dealing with high-risk customers. Appropriate policies and procedures must be developed and put in place to ensure that activities and transactions of High-risk customers are adequately monitored and any unusual transactions are reported.

While dealing with the high-risk customers including the PEPs, the SAAO Capitals should:

- Obtain senior management approval for establishing business relationships with such customers. The same shall also apply in case of an existing customer which is classified as High-risk pursuant to these guidelines or which is subsequently classified as a result of ongoing due diligence;
- Take reasonable measures to establish the source of wealth and source of funds.

5.3 If the SAAO Capital is unable to comply with the above requirements, it should not open the account, or should terminate the business relationship, as the case may be and should submit a Suspicious Transaction Report.

6. If SAAO Capital is not able to identify and verify the identity of the customer and the beneficial owner or is not able to obtain adequate information regarding the purpose and intended nature of the customer relationship, it should not open the account, commence customer relationship or in the case of an existing customer should terminate the relationship and consider the filing of a Suspicious Transaction Report.

7. On-going Due Diligence

- 7.1 CDD is not a one-time exercise. SAAO Capital should ensure that on-going Due Diligence on the customer relationship and scrutiny of transactions is undertaken to ensure that the transactions executed in a particular account are consistent with the SAAO Capital's knowledge of the Customer, its business and risk profile, historical pattern of transactions and the pattern and source of funding of the account.
- 7.2 SAAO Capital shall ensure that the customer records are updated at regular intervals and sufficient information is obtained regarding any significant change in the customer profile.

8. Simplified Due Diligence

- 8.1 SAAO Capital shall apply simplified or reduced CDD measures in the following circumstances:

risk of money laundering or terrorist financing is lower
information on the identity of the customer and the beneficial owner of a customer is publicly available
adequate checks and controls exist

- 8.2 Accordingly, following customers may be considered for simplified or reduced CDD

Financial institutions which are subject to requirements to combat money laundering and terrorist financing consistent with the FATF Recommendations and are supervised for compliance with those controls
Public companies that are subject to regulatory disclosure requirements
Government administrations or enterprises

- 8.3 When opting for simplified or reduced due diligence, the FATF guidelines in this regard must be consulted. Simplified CDD should not be followed when there is an identified risk of money laundering or terrorist financing.

9. Compliance function

- 9.1 SAAO Capital has set up a compliance function with suitable human resource and MIS reporting capabilities, enabling it to effectively monitor the clients' transactions and make timely reports

9.1.1 The Head of Compliance function must have skills and experience necessary for satisfactory performance of functions assigned. Head of Compliance must be independent and report directly to the Board of Directors.

The Compliance function shall ensure compliance with the requirements of these guidelines as well as other regulatory requirements applicable on SAAO Capital under the relevant legal framework. A record should be maintained of all

violation/ noncompliance identified and reported to the BoD and must be available for the inspection of Commission as and when required.

10. Data Retention

SAAO Capitals shall maintain the relevant documents obtained through the application of KYC/CDD procedures, especially those pertaining to identification of the identity of a customer, account files and correspondence exchanged for a minimum period of five years.

11. Training

SAAO Capital has developed an on-going employee training program to ensure that the employees understand their duties and are able to perform the same on a satisfactory level.

12. Screening

SAAO Capital has developed and implemented appropriate screening procedures to ensure high standards while hiring staff. However, the screening process must be an on-going exercise and must be applied consistently to ensure that employees, particularly those working at sensitive positions, meet and maintain high standards of integrity and professionalism.

SAAO Capitals must provide any information concerning its clients and their transactions to the exchanges, Financial Monitoring Unit or the Commission as and when required

13. Other requirements

SAAO Capital must comply with the requirements of Anti Money Laundering Act, 2010 as applicable on them, including the requirement to file Suspicious Transaction Reports and any directives, circulars, guidelines issued in this regard by Federal Government, Financial Monitoring Unit and SECP.



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