



October 2020

To: All Licensees and Applicable Persons

## **Supervisory Issues and Information Circular**

### **1. Monetary Authority (Administrative Fines) (Amendment) Regulations, 2020**

The Authority takes this opportunity to remind all readers of this circular that the Monetary Authority (Administrative Fines) (Amendment) Regulations, 2020 ("Administrative Fines Regime") were gazetted on the 26 June 2020 and are now in force.

Specifically, the Authority is providing details on a particular circumstance below that is now subject to the Administrative Fines Regime and therefore may result in the imposition of a fine.

### **2. Sharing of Information in Breach of the Authority's Requirements**

From time to time, the Authority may in accordance with Section 34(8) of the Monetary Authority Law (2020 Revision) ("the MAL"), provide a written notice to a person regulated under the regulatory laws (which includes all Licensees and Registered Persons), a connected person or a person reasonably believed to have information relevant to an enquiry by the Authority ("a notice"). Such notice will *"require that person to provide specified information or information of a specified description; or to produce specified documents or documents of a specified description, as it may reasonably require in connection with the exercise by the Authority of its regulatory functions."*

Where the Authority issues such a notice, the Authority may also advise the recipient of any other requirements, including whether the recipient is allowed to inform (either directly or indirectly) a third party of the requirements within the notice or even of the existence of the notice itself. Where the Authority requires the recipient to keep the notice and its content confidential, the recipient must **not** inform (either directly or indirectly) any third party or the subject of the notice, its content or its existence.

Recipients of notices from the Authority that are issued pursuant to Section 34(8) of the MAL should note that failure to adhere to the requirements as set out in the notice, including the requirement to not inform the person that is the subject matter of the notice or any other party, will be treated very seriously by the Authority. A breach of any requirement within a notice may also result in a further enforcement action by the Authority including the imposition of an administrative fine.

Please be guided accordingly.