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POSITION DESCRIPTION – Assistant Manager Legal and Financial Intelligence Unit (“FIU”)

Position Title & Details	Position Title: Assistant Manager Legal and FIU
Position Purpose & Background	The Assistant Manager provides the main support in the overall management of the Department. The Assistant Manager is responsible for the planning, coordinating and conducting researches to strengthen and improve performance and compliance regime. The Assistant Manager is also responsible for monitoring, implementing and enforcing the functions and powers of the Money Laundering Prevention Act 2007 as well as assisting the Manager Legal in implementing all legal functions of the bank.
Responsible to:	Manager Legal and AML/FIU Department
Governing Legislation & Policies	Legislation and Policies: (a) Central Bank of Samoa Act 2015 (b) Financial Institutions Act 1996 (c) Exchange Control Regulations 1999 (d) Money Laundering Prevention Act 2007 (e) Insurance Act 2007 (f) Proceeds of Crime Act 2007 (g) Money Laundering Prevention Regulations 2009 (h) National Payment System Act 2014
1. Key Accountabilities / Duties	
	Strategic Policy Development, Advise and Planning: 1. Assist in reviewing and revising of AML legislation, Regulations and Guidelines to be in line with international anti money laundering and countering the financing of terrorism (AML/CFT) standards. 2. Plan, review and discuss proper mechanism (i.e. MOU, agreement or arrangement) for the department to ensure close liaison, cooperation and the secure exchange of information with its counterparts, both domestically and abroad. 3. Lead research and studies into trends and developments in the areas of ML and TF and improve ways of detecting, preventing and deterring of such offences. 4. Lead studies and research on national AML/CFT risks and update National Risk Assessment and Strategies on AML/CFT matters. 5. Liaise with international bodies and organizations on several AML/CFT issues such as requests; standards; typologies; statistics; and questionnaires.

6. Liaise with relevant law enforcement agency on progress of investigation from time to time.
7. Draft and review contracts
8. Review and draft amendments and laws for the Central Bank
9. Provide legal advice and opinions to the Central Bank
10. Assist in any litigation
11. Conduct legal or AML training
12. Responsible in assisting the Manager Legal and FIU in overseeing the publications and communications of the Bank
13. And attend to any other duties as directed by the Manager Legal and FIU or the Governor from time to time

Monitoring and Evaluation:

1. Monitor financial institutions compliance with AML legislation and implement its functions proficiently.
2. Monitor internal application of AML legislation to be carried out proficiently.
3. Check to see database systems, records and files are well maintained, properly sorted, back up and only be accessed by authorize staff.
4. Monitor internal application of all laws of CBS

Technical operation role:

5. Lead on site examinations of financial institutions on AML/CFT compliance. Prepare onsite reports and initiate follow up actions.
6. Complete questionnaires and provide typologies data and statistics to international bodies and organizations as required from time to time.
7. Arrange periodic meetings of the AML/CFT Task Force and working groups. Take minutes of meetings and ensure to distribute it to members at the next meeting.
8. Review and revise (where necessary) reporting systems of governed financial institutions and relevant agents and partners with regards to reporting of suspicious transactions (STRs) and other relevant information.
9. Conduct training programs for financial institutions in relation to their obligations under the AML/CFT legislation and regulations. Provide training materials to their compliance officers to assist with staff regular trainings.
10. Review, revise (where necessary) and discuss findings and recommendations provided in any intelligence assessment report prepared by the department before implementing the next cause of action.
11. Assess and recommend necessary actions appropriate for any financial institution to take to enforce compliance with the MLP Act.
12. Request for information from any financial institution, government agency or supervisory agency for the purposes of the MLP Act.
13. Ensure that the department's operational manuals, internal policies and procedures are up to date and consistent with its functions and powers under the MLPA.

	<p>14. Properly manage confiscated assets and proceeds from sales are deposited into the Confiscated Assets Fund account and reconcile regularly.</p> <p>15. Provide weekly update on activities carried out by the department.</p> <p>16. Prepare and provide special AML/CFT monthly update to the Head of the Money Laundering Prevention Authority.</p> <p>17. Conduct legal work as stipulated above</p> <p>Leadership and Management:</p> <p>18. Provide on the job support, coaching and training for team members to ensure their continuous development.</p> <p>19. Supervise cash count from time to time as per schedule issued by the Banking and Currency Department.</p> <p>20. Assist in developing the department's strategy and plans in view of the Bank's overall strategy, objectives and functions.</p> <p>21. Supervise assigned personnel (e.g. DM staff, directing work, training, performance appraisals, etc.) for the purpose of ensuring that the department functions in an effective and efficient manner.</p> <p>22. Lead and role-model the Bank's values for Department and Bank.</p> <p>23. Act as the Manager from time to time and as may be directed.</p> <p>24. Represent the Department in local and international forums when required.</p>
Key Deliverables	<p>1. Improve compliance with the requirements of the legislation, regulations, guidelines and international standards.</p> <p>a) Money transfer operators (MTOs) to provide formal responses regarding the onsite inspection by December 2018.</p> <p>b) Onsite inspection to trustee companies by May 2018.</p> <p>c) Submit a follow up report to the APG by January 2018.</p> <p>d) Allocate recommendations (raised in Samoa's Mutual Evaluation Assessment Report 2015) to each member of the Money Laundering Prevention Task Force for necessary action by December 2018.</p> <p>2. Monitor and maintain a secure and adequate AML information system.</p> <p>a) Revise the department's standard operating procedures manual and implement changes by June 2018.</p> <p>3. Improve dissemination and sharing of information.</p> <p>a) 92% of requests received (January 2015 to October 2015) for information and due diligence checks were answered whilst 8% represents a couple of new cases currently under analysis and assessment.</p> <p>b) From January 2015 to October 2015, 10 suspicious cases (derives from 12 STRs) were disseminated to relevant agencies for further action (7 cases/STRs were disseminated in 2014); 5 cases (from 8 STRs) are currently under assessment; and 7 cases (7 STRs) had been filed after analysis.</p>
POSITION SPECIFIC COMPETENCIES	
1. Skills and Abilities	
Strategic Leadership	<ul style="list-style-type: none"> Understand the Department's strategic direction.

	<ul style="list-style-type: none"> • Maps out work / activities to achieve the strategic direction. • Considers wide issues when assessing the impact of a situation. • Determined and passionate in meeting operational goals. • Possesses a positive attitude towards change. • Convinces others of Department's direction / vision and influences them to act.
Delivers Results / Achieves Outcomes	<ul style="list-style-type: none"> • Supports a culture of achievement. • Ensures planned activities / targets are monitored to achieve expected outputs. • Continuously plans and manages time wisely to meet targets. • Strives for quality performance. • Complies with standing policies and best practice.
Communication / Building relationships	<ul style="list-style-type: none"> • Communicates in a clear, concise and articulate manner. • Commits to client service, builds and sustains relationships within the Bank and across stakeholders. • Enables cooperation and teamwork through information and knowledge sharing. • Supports different perspectives to enhance work. • Encourages and motivates people to engage in continuous learning and in activities to sustain morale.
Empowerment	<ul style="list-style-type: none"> • Enable team members and people they influence to grow and excel by encouraging them to solve problems, come up with new ideas, and develop new skills.
2. Personal Attributes	
Integrity and Independence	<ul style="list-style-type: none"> • Models high standard of ethics and honesty. • Provides impartial and forthright advice. • Acts on professional convictions, even when under pressure.
Intellect and Judgment	<ul style="list-style-type: none"> • Shows levels of analytical, conceptual and innovative thinking. • Commits to an appropriate course of action. • Anticipates implications and applies effective judgment to develop solutions.
Commitment and Personal Drive	<ul style="list-style-type: none"> • Displays personal commitment to meet targets. • Takes responsibility and initiates timely action to resolve issues. • Accepts responsibility for mistakes and prompts corrective action. • Is proactive on a daily basis.
Creativity and Innovation	<ul style="list-style-type: none"> • Pursues new methods, ideas and solutions, thinks outside the box and is unafraid to use unconventional/unorthodox methods.
3. Experience and Past Work Performance	
	<ul style="list-style-type: none"> • Minimum of 5 years working experience in the legal field, especially with regards to legislative drafting • Sound legal knowledge, especially legislative drafting knowledge • Sound knowledge of financial institutions and their AML/CFT obligations to protect Samoa's financial system from money laundering and terrorist financing (ML/TF) activities. • Broad understanding on legal and regulatory framework governing financial institutions in Samoa.

	<ul style="list-style-type: none"> • Sound understanding on Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) Forty (40) Recommendations set by the Financial Action Task Force (FATF)¹.
4. Academic Qualification and Training	
	<ul style="list-style-type: none"> • A degree in Law and also a Professional Diploma in Legal Practice • Must be admitted as a barrister and solicitor of the Supreme Court of Samoa • <u>Minimum</u> of five years legal experience • Must also have sufficient legislative drafting experience
Remuneration & Term	<p>Position Status: Contractual position for 3 years.</p> <p>Position Salary: Contract level (\$70,040) per annum before tax. This amount is inclusive of 7% employee contribution to National Provident Fund and 1% contribution to Accident Compensation Fund.</p>

¹ 'FATF is an independent inter-governmental body that develops and promotes policies to protect the global financial system against money laundering, terrorist financing and the financing of proliferation of weapons of mass destruction.' For more information, visit the APG Website (Asia Pacific Group).