



The Law Society

Submitting a SAR

A suspicious activity report (SAR) requires solicitors to disclose if they know, suspect or have reasonable grounds for knowing or suspecting that a person or entity is engaged in money laundering (as prohibited by ss 327–329 of the Proceeds of Crime Act 2002). A recent push towards better quality SARs means solicitors too need to make sure they get their reports right the first time.

Read on for our top tips for SARs success.

Pearl Moses, Head of Risk and Compliance, The Law Society

1 How to submit a SAR

Although SARs can be submitted in any format such as post or fax, the NCA's preferred method of submission is via their website. An advantage is that this provides a standardised approach to populating your report. If you are seeking consent and are therefore making a defence against money laundering SAR ('authorised disclosure') as opposed to the standard information provision SAR ('required disclosure'), it is especially important to get the submission right to avoid delays and allow the NCA to promptly decide whether consent will be granted.

2 Filling in the form

The NCA's guidance on submitting a SAR, **Guidance on Submitting Better Quality Suspicious Activity Reports**, is worth reading before you submit your report. The NCA want the form to be as complete as possible – it is important to populate all the fields and be clear and concise. Try to avoid jargon and acronyms, briefly summarise your suspicion and provide a chronological sequence of events. Put all the information on the form and don't include attachments, as their IT system won't recognise them.

3 Necessary information to submit a good quality SAR

- **The reason for the suspicion** should be explicit and contain the who, what, where, why and how of the involvement of the suspected persons and the circumstances. Give a description, value and information on the whereabouts of the suspected criminal property, if known.
- **The identification of the reported subject** – for individuals, include their full name, address, date of birth and nationality. If available, include identifying document details. For a business, trust

or other entity, include identifying information such as legal name, trading name, VAT or tax numbers, country of ownership and details of beneficial ownership. Where details are not known, say 'UNKNOWN'.

- **If the reported client/customer has been the subject of a SAR previously**, include the previous SAR reference number so the connection between numbers isn't missed. Each SAR you submit on the same individual must contain a reason for suspicion and all the other relevant details.
- **If you are seeking consent** or a defence against the principal money laundering or terrorist financing offences for a specified future activity, ensure you tick the 'consent' box when completing your SAR and clearly identify the activity for which a defence is required.
- **Use the glossary codes** to enable the NCA to categorise the suspected subject or crime, identify high risk cases and prioritise their actions more effectively.

For further information on submitting a SAR, please visit: www.lawsociety.org.uk/aml

For additional support on anti-money laundering and compliance-related issues facing law firms, visit: www.lawsociety.org.uk/riskandcompliance

Register for our **Anti-money laundering and financial crime conference 2018** on 21 November for the latest information from AML specialists, government, regulators and law enforcement. Book online: www.lawsociety.org.uk/aml-conference-2018