

No: 02/2018/QĐi-HĐQT

Hanoi, January 3rd 2018

REGULATION
ON IMPLEMENTING MEASURES OF ANTI - MONEY LAUNDERING, COUNTER
FINANCING OF TERRORISM, ECONOMIC AND TRADE SANCTIONS
COMPLIANCE
AT VIETNAM PROSPERITY JOINT STOCK COMMERCIAL BANK

THE BOARD OF DIRECTORS

- Pursuant to the Law on Credit Institutions No. 47/2010/QH12 approved by the National Assembly of Social Republic of Vietnam on June 16, 2010;
- Pursuant to the Law on Anti - Money Laundering No. 07/2012/QH13 approved by the National Assembly of Social Republic of Vietnam on June 18, 2012;
- Pursuant to the Anti-Terrorism Law No. 28/2013/QH13 approved by the National Assembly of Social Republic of Vietnam on June 12, 2013;
- Pursuant to the Decree No. 116/2013/ND-CP dated October 4, 2013 of the Government detailing a number of articles of the Law on Anti - Money Laundering;
- Pursuant to the Circular No. 35/2013/TT-NHNN dated December 31, 2013 of the State Bank of Vietnam guiding implementation of a number of regulations on money laundering prevention;
- Pursuant to the Circular No. 31/2014/TT-NHNN dated November 11, 2014 of the State Bank of Vietnam amending a number of articles of the Circular No. 35/2013/TT-NHNN dated December 31, 2013 guiding implementation of a number of regulations on anti - money laundering;
- Pursuant to the Charter of Vietnam Prosperity Joint Stock Commercial Bank;
- Pursuant to the Regulation on organization and operation of the Board of Directors No. 957/2011/QC-HĐQT dated July 29, 2011 of the Board of Directors;
- At the proposal of the CEO.

REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1. Purpose, Subject of adjustment, Scope of application

1. Purpose

The Regulation on implementing measures of anti - money laundering, counter terrorist financing, economic and trade sanctions compliance in Vietnam Prosperity Joint Stock Commercial Bank (hereinafter called “VPBank”) is issued for purposes as follows:

- a) Specifying and guiding to comply with law on Anti-Money Laundering (AML), Combating the Financing of Terrorism (CFT), Economic and Trade Sanctions (ETS) within VPBank.
- b) Establishing centralized mechanism of AML, CFT, ETS at Head Office of VPBank.
- c) Regulating responsibility and authorization of departments and units of VPBank in implementing AML, CFT, ETS measures.

2. Subject of adjustment

This Regulation specifies AML, CFT, ETS measures and implementation of those measures in transaction on finance and asset between VPBank and its Customer.

3. Scope of application

This Regulation is applied for the entire VPBank system.

Article 2. Interpretation and Abbreviation

In this Regulation, following words and abbreviations are interpreted as follows:

1. **Board of Management (BOM)** means the Board operating the daily business of VPBank includes Chief Executive Officer (CEO), Deputy CEOs, Heads of Divisions, Heads of Centers directly reporting to CEO;
2. **Officer in charge of AML activity in VPBank:** means the member of BOM who is authorized by the CEO to decide matters related to AML, CFT, ETS in VPBank and is registered with State Bank of Vietnam.
3. **AML Department** means department established by the Board of Directors (BOD) in accordance with policy of VPBank in each period, having responsibility and function of implementing AML, CFT, ETS related tasks in VPBank
4. **Officer** means staff/individual working in departments and/or units of VPBank
5. **Competent Authority** case by case means the BOD or the chairman of the BOD or the CEO or Deputy CEO or Head of Division/Region/Centre authorized/assigned by the CEO in accordance with VPBank regulations in each period
6. **Beneficial owner** means individual who is the actual owner of an account, has the dominant right when Customer of VPBank conducts transaction for this individual or individual has the right to dominate a legal entity or an investment trust agreement.
7. **Warning list** means list of organizations and individuals with high risk of money laundering issued by the State Bank of Vietnam.
8. **Black list** means list of organizations and individuals relating to terrorism and/or

financing terrorism issued by the Ministry of Public Security.

9. **Unit** means Division/Centre/Department/Team/Group under the Head Office/Branch/Transaction Office and others established in accordance with VPBank regulation in each period.
10. **Unit in charge of Customer Identification** means units assigned/specified to conduct customer identification in accordance with this regulation and/or with other relevant internal regulations of VPBank in each period.
11. **Unit directly dealing with customer** means units directly communicating with customer or conducting transactions for customer or involving in processing transactions for customer.
12. **Reporting unit** means unit conducting customer identification, conducting transactions for customer directly and/or units of VPBank which are assigned to implement one or several AML, CFT, ETS measures and the units detecting the cases that must be reported as specified in this Regulation while processing assigned tasks;
13. **Product owner** means units of VPBank building up and proposing to competent authority for publishing products, services of VPBank.
14. **Large amount transaction** means transaction in cash, gold or foreign currencies with its total value being equal to or exceeding the amount specified by the state authority and being conducted once or several times in a day.
15. **Suspicious transaction** means transaction having abnormal sign or reasonable grounds to suspect the property in the transaction derived from criminal activity or relating to money laundering as prescribed by laws and this Regulation.
16. **Business operation through introduction** means business activity with Customer through introduction of an intermediary that is another financial institution in the same group or corporation with Customer or through organization supplying brokerage service.
17. **Customer** means organization or individual that is using or intends to use product, service provided by VPBank.
18. **Financial Action Task Force** means the inter-governmental body setting standards and promoting effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system.
19. **Laws** means current legal documents of Social Republic of Vietnam regarding to AML, CFT, ETS.
20. **Correspondent banking** means the activity of one bank to provide oversea bank with banking service, payment service and other services.
21. **Money Laundering** means the activity of individual, organization to legalize the origin of property derived from criminal activity, including:
 - a) Activities stipulated in the Criminal Law;

- b) Assisting organization or individual involving in crime to avoid legal liability by legalizing the origin of property derived from criminal activity;
 - c) Possessing property even when being aware of its criminal origin at the time of receipt in order to legalize its origin.
22. **Property** means thing, money, valuable paper and property right under the provisions of the Civil Law, may exist in material or non-material form; estate or real-estate; tangible or intangible; documents or legal instrument proving ownership or interest of that property.
23. **Terrorism** means one, several or all of the following acts committed by organizations or individuals with the aim to oppose the people's authorities, to compel the people's authorities, foreign organizations and international organizations, cause difficulties to the international relations of the Socialist Republic of Vietnam or cause panic situation in the public:
- a) Violating the lives, health, and body liberty or threatening to violate the lives or intimidating mental of others;
 - b) Appropriating, damaging, destroying or threatening to destroy assets; attacking, violating, contravening or causing disorder for operation of computer networks, telecommunication networks, Internet and digital equipment of agencies, organizations or individuals;
 - c) Guiding to manufacture, production and use of, or manufacturing, producing, storing, transporting, trading weapons, explosives, radioactive materials, poison, inflammables and other instruments and means in order to serve activities as defined at Point a and Point b, Clause 23 of this Article;
 - d) Propagating, dragging into, inciting, forcing, hiring, or creating conditions for, or assisting for the commission of the acts as defined at Points a, b and c, Clause 23 of this Article;
 - e) Establishing, participating to organize, recruit, train and coach the objects with the aim to conduct the activities as defined at Points a, b, c and d, Clause 23 of this Article;
 - f) Other behaviors that are considered terrorism under the anti-terrorism international treaties of which the Socialist Republic of Vietnam is a member.
24. **Terrorist financing** means act of mobilizing, supporting with money and assets in any form for terrorist organizations and individuals.
25. **Anti-terrorism** includes activities of prevention and combating terrorism and terrorist financing.
26. **Sanctions** are restrictive measures imposed on individuals or entities in an effort to curtail their activities and to exert pressure and influence on them for human right violence, terrorism, threatening world peace, national security, political violence, or violating other international commitments...

27. **AML, CFT, ETS** means Anti Money Laundering, Counter Financing of Terrorism, Economic and Trade Sanction.
28. **AML, CFT, ETS Representative at Unit** means officers who are assigned by the CEO/person authorized by CEO to be responsible for AML, CFT, ETS at Branch/ Transaction Office/ other units in each period.

Article 3. AML, CFT, ETS principle in VPBank

1. The AML, CFT, ETS activity in VPBank must be implemented in compliance with laws and VPBank regulations on the basis of :
 - a) Ensuring that activity and transaction are conducted normally in VPBank;
 - b) Protecting legitimate right and interest of VPBank in transaction with its Customer;
 - c) Preventing activity of taking advantage of nominal AML, CFT, ETS implementation to violate legitimate right and interest of VPBank or its Customer.
2. AML, CFT, ETS measures must be implemented entirely and timely as assigned/instructed by Competent Authority and under the coordination of AML Department.
3. Activities of money laundering/financing of terrorism and/or participating and/or supporting and/or facilitating in money laundering/financing of terrorism implemented by VPBank Units, officers shall be handled in accordance with laws and VPBank regulations concerned in each period

Article 4. Prohibited behaviors

Units and/or Officers/Staff are prohibited from:

1. Organizing, participating, supporting or facilitating money laundering activity;
2. Financing of terrorism;
3. Concealing, harboring or failing to denounce acts of terrorism and terrorist financing;
4. Deliberately spreading false information about terrorism or financing of terrorism;
5. Opening or maintaining an anonymous account or an account using fictitious name.
6. Establishing or maintaining business relationship with the bank which was established in a country or territory but has no physical presence within such country or territory and is not subject to supervision and management of the competent authority;
7. Illegally providing service of receiving cash, checks, other monetary instruments or value storage instruments and conducting payment to the beneficiary at another location;
8. Taking advantage of authorization in AML, CFT, ETS to violate or affect legitimate right and benefit of VPBank and/or its Customer;
9. Contravening the supply of information in AML, CFT, ETS; Threatening or taking revenge on the person who detects or provides information, reports on money laundering activities or suspicious transactions.

CHARTER II
MEASURES ON AML, CFT, ETS

Section 1

IDENTIFY CUSTOMER AND UPDATE CUSTOMER'S INFORMATION

Article 5. Customer identification

Unit in charge of Customer Identification carries out collecting information to identify Customer in the following cases:

1. Customer sets up relationship with VPBank for the first time in order to use product(s) or service(s) provided by VPBank;
2. Customer opens account including current account, deposit account, card account or other kinds of account for the first time;
3. Customer conducts irregular high value transaction which is the transaction by a Customer having no account or having current account with no transaction conducted within a period of six (06) months or more with its total value of three hundred million (300,000,000) dong or more within one day;
4. Customer conducts a remittance transaction which lacks originator's name, address or account number;
5. VPBank suspects that the transaction or involved parties are relevant to a money laundering and terrorism financing activity;
6. VPBank suspects the accuracy or completeness of Customer identification collected previously.

Article 6. Information on Customer identification

Information on Customer identification must include the followings:

1. Information on Customer Identification:
 - a) For Customer as a Vietnamese individual: Full name; date of birth; nationality; occupation, position; telephone number; identification number or citizen identification number or passport number or other serial number issued by a competent body, date and place of issuance of such document; address of registered permanent residence and current residence.
 - b) For Customer as a foreigner: Full name; date of birth; nationality; occupation, position; number, date and place of issuance of valid passport; number, date and place of issuance, date of expiration of valid visa; address of registered permanent residence abroad and address of registered residence in Vietnam.
 - c) For Customer as a stateless individual: Full name; date of birth; occupation, position; number, date and place of issuance of valid identification document (International travel documents, visa-free entry document and other documents issued by competent authorities); date and place of issuance, date of expiration of valid visa; address of registered permanent residence abroad and address of

registered residence in Vietnam.

- d) For Customer as an individual having two (02) or more nationalities: in addition to information listed in point (a) and point (b) of this clause, the Unit in charge of Customer Identification has to collect information on nationalities, registered addresses of residence in countries to which Customer bears nationalities.
- e) For Customer as an enterprise: Full and abbreviated trading name; address of head office; telephone number, fax number; business line; founder's and representative's information as listed in point (a) and/or point (b) and/or point (c) and/or point (d) of this Clause.

2. Information on Beneficial owner

- a) The Unit in charge of Customer Identification has to identify beneficial owner of Customer and to implement measures to identify and update such beneficial owner's information.
- b) For Customer as a legal entity or when providing service of authorization agreement, the Unit in charge of Customer Identification has to collect information on ownership and controlling structure to determine the individual having controlling interest and dominating operation of that legal entity or authorization agreement.
- c) Beneficial owner can be identified basing on following criterias:
 - Individual as the actual owner of an account or a transaction: Account holder, account co-holder or any person dominating beneficiary of such account or transaction;
 - Individual with controlling power over a legal entity: An individual holding ten percents (10%) or more of charter capital of such legal entity; an individual holding twenty percents (20%) or more of charter capital of an organization which contributes over ten percents (10%) or more of charter capital of such legal entity; owner of a private company; other individuals that actually control such legal entity;
 - Individual with controlling power over an investment entrustment, authorization agreement: an entrusting/authorizing individual; individual with controlling power over the entrusting/ authorizing individual, legal entity or organization.
- d) Identification and verification of beneficial owner's information shall be implemented as specified in Clause 1 of this Article. For Customer as a foreign organization or an organization with one or more capital contributors being foreign individual or organization, the Unit in charge of Customer Identification has to verify information on identification of such foreign individual or organization by using documents and data issued by foreign competent authorities.

3. Information on Customer's purpose in relationship with VPBank.

Article 7. Update information on Customer identification

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1. The Unit in charge of Customer Identification has to update information on Customer identification during the period of establishing and maintaining relationship between VPBank and its Customer in order to ensure that Customer's transaction being conducted through VPBank is in conformity with identification information on Customer, Customer's business, risks and origin of Customer's property.
2. Updating information on Customer identification under Clause 1 of this Article is performed in accordance with ordinary business process or particular method specified by competent authorities from time to time and with the frequency as follows:
 - a) At least once a year for high risk Customer; or
 - b) When the Unit in charge of Customer Identification acknowledges that information on Customer identification changes.

Article 8. Measures to verify information on Customer identification

1. The Unit in charge of Customer Identification verifies information on Customer identification using materials, data as follows:
 - a) For Customer as an Vietnamese individual: Valid Identification Card, citizen identification number, passport and/or other documents issued by competent authorities.
 - b) For Customer as a foreigner/ An individual having two (02) or more nationalities: Valid passport; Visa, visa-free entry documents, permanent resident card, temporary residence card and other documents issued by competent authorities.
 - c) For Customer as a stateless individual: International travel documents issued by a competent authority of a country to stateless person residing in such country and accepted by Vietnamese competent authority; visa, visa-free entry document, permanent residence card, temporary residence card and other documents issued by competent authorities.
 - d) For Customer as an enterprise: Establishment license or decision; decision for name change, division, separation, consolidation, merger; certificate of business registration/certificate of enterprise registration; decision of appointment or labor contract between Customer and its Chief of Executive Officer, Chief accountant.
2. Customer identification relating to opening and using account, savings, cards, credit, funds and other products/services is implemented in accordance with VPBank regulations in each business activity respectively on the basis of full compliance with the general policy on AML, CFT and ETS in this Regulation.
3. The Unit in charge of Customer Identification can collect and compare information provided by Customer through other organization, individual to which Customer had or is having relationship with; or through management authority or competent authority.
4. If necessary, the Unit in charge of Customer Identification, Product Owner or other relevant Unit(s) can propose for approval from competent level of VPBank for hiring other organization to perform and verify information on Customer identification. In this case, the Unit in charge has to ensure that the hired organization shall comply with

regulations on Customer identification and updating information on Customer identification as specified in Article 5, 6 and 7 of this Regulation and other related regulations of VPBank in each period, and be responsible for the result of Customer identification and updating information on Customer identification accordingly.

Article 9. Customer's risk clarification

1. Based on the provisions of the law and the regulations of VPBank in each period on identifying and updating customer information and classifying customers according to the risk level, the Unit in charge of Customer identification has to take initiative in classifying customers according to risk level, and ask for consult from AML Department if necessary.
2. For low risk Customer, the Unit in charge of Customer Identification can implement measures to identify its Customer at low level but has to collect adequate Customer's information as specified in Article 6 of this Regulation.
3. For high risk Customer mentioned in Article 10, 11, 12, 13 and 14 of this Regulation, in addition to collecting information on Customer identification as specified in Article 6 of this Regulation, the Unit in charge of Customer Identification has to implement intensive, additional measures specified in Article 10, 11, 12, 13 and 14 respectively.
4. For high risk Customer excluded in Clause 3 of this Article, in addition to collecting information on Customer identification as specified in Article 6 of this Regulation, the Unit in charge of Customer Identification has to implement intensive, additional measures specified in Article 15 of this Regulation and other regulations of VPBank in each period, if any.

Article 10. Foreign Customer as politically exposed person

1. Foreign Customer as politically exposed person (PEP) is an individual who holds a prominent public position or function in a government body or an international organisation.
2. List of foreign individuals as PEP:
 - a) VPBank applies PEP list under electrical data file provided by the State Bank of Vietnam;
 - b) AML Department is responsible to register PEP list recipient with the Banking Inspector and Supervision Agency (via AML Department – SBV) according to the regulations of the State Bank of Vietnam in each period, which includes but not limited to full name, work address, fax number, phone number and email address after receiving official approval by VPBank's authority;
 - c) After receiving PEP electrical data file, AML Department is supposed to report to the Authorised Officer to disseminate the file throughout the whole VPBank's system. Relevant VPBank units, officers must not provide information on the PEP list to the third party without permission in writing from the Banking Inspector and Supervision Agency.
3. For foreign Customer as PEP, the Unit in charge of Customer identification has to apply

the measures as follows:

- a) Proposing for approval from the CEO or person authorized by the CEO prior to opening account or conducting transaction in case Customer or Customer's beneficial owner is defined as PEP;
 - b) Identifying origin of Customer's property;
 - c) Strengthening supervision to Customer and business relationship between VPBank and Customer.
4. The Unit in charge of Customer Identification has to apply measures specified in Clause 3 of this Article to those who are PEP's father, mother, wife/husband, son/daughter, sibling brother/sister of Customer specified in Clause 1 of this Article.

Article 11. Correspondent banking relationship

Before establishing correspondent banking relationship with foreign bank, the Unit in charge this function has to implement the following tasks:

1. Collect foreign bank's information, includings:
 - a) Identification information of Enterprise Customer as specified at Point (e) Clause 1 Article 6 of this Regulation;
 - b) Purpose and reason of establishing the relationship;
 - c) Name of supervision agency of the foreign bank;
 - d) Assessment, reputation ranking of the foreign bank issued by competent agency or professional organization.
2. Assess implementation of AML, CFT, CTS measures through:
 - a) Internal AML, CFT, ETS regulations;
 - b) AML risk management system;
 - c) AML, CFT, ETS internal control and audit system;

This assessment is conducted in accordance with laws and VPBank regulations in each period.

3. Must be accepted by the CEO or person authorized by the CEO prior to establish the correspondent banking relationship.
4. In case Customer of foreign bank can transact through its account opened at VPBank, Unit in charge of establishing RMA at VPBank and relevants units have to ensure that foreign bank implemented Customer identification, updating information on Customer identification fully and that foreign bank has ability to provide information requested by VPBank.

Article 12. Transaction relating to new technology

1. Transaction relating to new technology is transaction allowing Customer to conduct transaction without facing with staff of VPBank directly.

2. In case VPBank provides services relating to new technology, product owners have to build up regulation/ procedure to ensure:
 - a) Customer must be faced at least one time prior establishing the relationship by the Unit in charge of Customer Identification or by the hired third party as prescribed in Item 4, Article 8 of this regulation; and
 - b) During facing directly Customer, Units mentioned in item a, this Article require Customer to provide information according to Article 6 of this regulation.
3. AML Department is responsible as contact point to coordinate with Risk Management Division and other relevant units to elaborate internal regulation, process and guidance on managing money laundering risk in transactions relating to new technology. Those regulations must have at least the following contents:
 - a) Define and simulate the money laundering risk which may arise in new technology transactions;
 - b) Stipulate adequate measures to prevent and mitigate money laundering risk which may arise.

Article 13. Special supervision for several transactions

1. Base on assigned functions, Units dealing directly with Customer have to monitor specially following transactions:
 - a) Unusual large amount or complicated transaction is specified by laws and VPBank regulations in each period, in which:
 - *Unusual large amount transaction* means transaction which is clearly not adequate to Customer's income or not suitable to value of usual transaction of Customer at VPBank.
 - *Complicated transaction* means transaction conducted through method which is not suitable with the nature of transaction, for instance: transaction conducted through many unnecessary intermediaries and accounts; transaction conducted between many different accounts of one holder but in different areas; or any transaction detected by Unit in charge of Customer identification/ Reporting Unit that it is abnormal and needs strict supervision.
 - b) Transaction with organization, individual in country, territory listed by FATF or in Warning list or other list issued by VPBank in each period.
2. Unit dealing directly with Customer has to check legal background and purpose of transaction; in case of having doubts about honesty and purpose of the transaction, Unit dealing directly with Customer has to prepare suspicious transaction report and send this report to the Authorised Officer (via AML Department) and handle transaction according to the direction of authorised AML officer at VPBank.

Article 14. Business operation through introduction

1. When conducting business operation through introduction, Unit in charge of Customer Identification or product owner or relevant stakeholders can propose for approval of

authorised level to identify its Customer through intermediary and ensure the following requirements:

- a) The intermediary has to collect, record and provide information on Customer identification to VPBank timely and fully as requested.
 - b) If the intermediary is Vietnamese organization then this organization has to be subject managed and supervised by Vietnamese competent authority and has to perform and update information on Customer identification as guided in Article 5 and Article 7 of this Regulation as well as requirement on maintaining reporting material, documentation as guided in Article 21 of this Regulation
 - c) If the intermediary is foreign organization then this organization has to be subject managed and supervised by competent authority, has to perform Customer identification, update information on Customer identification and maintain documentation as specified by laws of country where its Head Office registered or its main business operated. In case laws of this country has not yet satisfied or satisfied partly with requirements of recommendations of the Financial Action Task Force, Unit in charge of Customer Identification or product owner need to cooperate with relevant stakeholders to do research in order to report to competent authority of VPBank for acknowledging and considering risk element to decide whether VPBank shall rely on this foreign intermediary or not
 - d) If the intermediary belongs to the financial group which fully implement the requirements as regulated in point (b) and point (c) of this clause then the intermediary shall be considered as complying fully with those regulations
2. Reporting Unit shall not be exempted from liability of Customer identification and updating information on Customer identification even when those tasks implemented through intermediary.

Article 15. Enhanced due diligence for Customer with high risk of AML

For Customer rated as high risk that is not covered by Articles 10, 11, 12, 13 and 14 of this Regulation, besides identifying as specified in Article 6 of this Regulation, Unit in charge of Customer Identification has to implement the following intensive measures:

1. Have to obtain approval of management authority of at least one level higher than the approving authority applied for ordinary case when setting up relationship with Customer for the first time or existing Customer rated as high risk. For existing Customer, the risk rating changes to high risk after being reassessed, Unit in charge of Customer identification has to report to competent authority to approve or reapprove the relationship with this Customer and then Unit has to implement intensive measures as mentioned in clause 2 and clause 3 of this Article.
2. Collect additional information as follows:
 - a) For Customer as individual:
 - Monthly average income of Customer within at least three (03) latest months;
 - Full name, address, telephone number of company, organization or owner of

enterprise where Customer working or having major income.

b) For Customer as enterprise:

- Main business sector creating major revenue;
 - Financial statements of the last two (02) years;
 - List (including full name and permanent address) of members of Board of Directors, Board of Management, Chief Accountant or equivalent;
 - Full name, address, legal or authorized representative (if Customer is a subsidiary company) or list of full name, address, legal or authorized representative of branch, subsidiary company, representative office (if Customer is a parent company).
3. Strictly supervise transactions of high risk Customer as specified in Article 13 of this Regulation to ensure that Customer's transaction is appropriate to the purpose of establishing relationship and the nature of Customer business; timely detect unusual transactions and examine suspicious transactions under sufficient basis in accordance with the law;
 4. Regularly update information at least once a year or when Unit in charge of Customer Identification awares any change of Customer information.

Section 2

REPORT, PROVIDE AND RETAIN INFORMATION

Article 16. Report on large amount transaction

1. Value of transaction being reported is determined by laws;
2. AML department is responsible for reporting large amount transaction of VPBank to the State Bank of Vietnam in accordance with VPBank's regulations in each period;
3. In case Customer deposits a large amount of foreign currency to purchase Vietnam dong or deposit a large cash amount of Vietnam dong to purchase foreign currency, only deposit transaction will be reported;
4. Unit in charge of Customer Identification has to review and filter large amount cash transactions to detect suspicious transactions timely.

Article 17. Report on suspicious transaction

1. Reporting Unit is responsible to report to the Authorised Officer (via AML Department) when having doubts or having reasonable basis to suspect that asset in transaction (i) acquired from criminal activity or (ii) relating to money laundering, in which:
 - a) *The reasonable basis to suspect that asset in transaction acquired from criminal activity* includes: Transaction is requested to implement by accused or defendant or person convicted in accordance with criminal procedure laws and asset in that transaction originated from ownership or control of that person or individual, organization relating to that person during or after criminal activity being conducted;

- b) *The reasonable basis to doubt that asset in transaction relating to money laundering* is resulted from considering and analyzing suspicious signs as prescribed in clause 4 of this Article.
2. Reporting suspicious transaction does not depend on transaction amount, whether the transaction has completed or not or the transaction has just been intended to conduct.
3. Suspicious signs include:
- a) Customer provides incorrect, incomplete and inconsistent information on identification;
 - b) Customer persuades Reporting Unit not to report transaction to the competent level of VPBank or State agency;
 - c) VPBank is unable to identify Customer by information provided by Customer or transaction relates to a party whose identity cannot be identified;
 - d) Customer uses many different addresses for the same name; it is impossible for VPBank to contact with Customer's personal or office telephone or these telephone numbers do not exist after account is opened or transaction is conducted;
 - e) Occupation provided by Customer is not adequate to business level, account type and activity;
 - f) Customer is an enterprise or entity having financial statements or documents different from those of other enterprise, entity having similar business features;
 - g) Transactions are conducted by the order or under the authorization of the organization or individual in the warning list;
 - h) Beneficiary of T/T remittance is relevant to a group of persons in many countries involving in terrorist activities;
 - i) Transactions that through information on Customer identification or reviewing economic and legal basis of transaction, VPBank is able to define the relation between parties conducting such transaction with criminal activity or with organization or individual in black list, warning list; ;
 - j) Customer is organization or individual entering into transaction with large amount of money inadequate with or not relevant to their routine activities, financial ability, business activities or any lawful activities of such organization or individual;
 - k) Customer has suspicious attitude: Showing unusual curiousness, attention to the internal control system and policies of VPBank, asking for remittance limit; trying to develop close relationship with VPBank staff; or showing the worryment, not keeping calm during transaction period; or requesting to quickly conduct the transaction and having doubtful expression, attitude;
 - l) Customer's transaction is performed through Reporting Unit in improper process and procedure as prescribed by laws and by regulation, guidance of VPBank ;
 - m) There are sudden changes of transaction turnover in account; money deposited in and withdrawn quickly from account; transaction turnover is large in

- a day but account balance is negligible or zero;
- n) Transactions of transferring small amounts of money from different accounts into a large amount of money or through different accounts to a single account within a short period or vice versa; money crookedly transmitted through many accounts; involved parties do not care about transaction charges; conduct many transactions and each transaction amount is nearly with reporting high-value rate;
 - o) Customer requires T/T remittance with the value smaller than that to be reported in order to avoid reporting on cash transaction;
 - p) Customer using Letters of Credit and other trade finance instruments of high value and at high discounts (to transfer money between countries while these transactions are not related to routine activities of Customer);
 - q) Customer opening many accounts at VPBank in geographical areas different from the place where Customer is domiciling, working or doing business activities;
 - r) The Customer's account at VPBank do not have any activity over a year then has activity back without any plausible reasons; Customer's account that rarely has activity suddenly receives a cash deposit or money transfer of large value;
 - s) Customer transfers money to non-profit organizations and then this amount is used to finance activity with unclear purpose;
 - t) Customer as enterprise transferring a large amount of money from account opened at VPBank overseas after receiving many small amounts of money transferred by electronic money transfer, checks or drafts;
 - u) Customer as enterprise having foreign investment capital transfers money overseas immediately after receiving the investment capital or transfer money overseas not in accordance with the business activities; foreign enterprise transferring money overseas immediately after receiving money from abroad transferred into account opened at financial institutions and foreign bank branch operating in Vietnam;
 - v) Customer usually changes money with small denomination into larger denomination; or deposits/withdraws cash of the amount just below the reporting threshold at periodical time or conducts many transactions in a day or several days;
 - w) Customer usually conducts large amount transactions to/from abroad without clear economic reason;
 - x) Transaction of deposit, withdrawal or transfer of money conducted by organization or individual associated with crimes who generated illegal property published on mass media;
 - y) Customer requests to borrow the maximum amount allowed based on the insurance contract of single-premium right after the premium payment, except for the case required by VPBank;
 - z) Information on origin of property used for financing, investment, loan, financial leasing or investment trust of Customer is not clear and transparent;

- aa) Information on origin of collaterals of Customer asking for capital loan is not clear and transparent;
 - bb) Customer prepays the loan without prior notice, especially for problematic loans without clearly explanation about the origin of the debt payments;
 - cc) Insurance company regularly pays large amount of compensation or insurance to one customer;
 - dd) Securities organization transfers money not in accordance with their securities trading activities;
 - ee) Other suspicious signs issued by the competent state agency in each period;
 - ff) Or any other transactions which seems abnormal or having unreliable legal background.
4. In actual operation, in case of detecting any further suspicious signs not listed in Clause 3 this Article, Reporting Unit has to report to the Authorized Officer (via AML Department) as regulated in Clause 1 this Article.

Article 18. Report on electronic money transfer transaction

AML Department is responsible to prepare report on the transaction of electronic money transfer exceeding the reporting threshold prescribed by the State Bank of Vietnam and by VPBank in each period.

Article 19. Reporting methodology

1. Reporting Unit sends the electronic data files or reports in writing to the Authorised Officer (via AML Department) in accordance with VPBank regulations in each period.
2. In necessary case, Reporting Unit can report to the Authorised Officer (via AML Department) via fax, phone, and e-mail but has to (i) ensure the safety and confidentiality of the reporting data and (ii) confirm in writing with AML Department.
3. For suspicious transaction report (STR):
 - a. Suspicious transaction report is prepared in the format determined by VPBank authorities in each period.
 - b. Reporting Unit has to attach documents of account opening for transactions conducted through account, information on Customer identification, documents and other material relating to that suspicious transaction, and the prevention measures carried out.
4. AML Department is the contact point for registering in writing with the Anti-money Laundering Department of SBV the following information on the officer in charge of sending the report by electronic data files: Full name, position, address of workplace, telephone number and e-mail address, and has to notify in writing any change in such information or replacement of officer.

Article 20. Report duration

The reporting is conducted within the duration as follows:

1. For large amount transaction and electronic fund transfer transaction of VPBank, AML Department has to:

- a) Report daily according to the regulations of the State Bank of Vietnam, for the report by electronic data files via the information technology system connecting between VPBank and the State Bank of Vietnam.
 - b) Report within two (02) working days from the date of the transaction for written report or other report forms.
2. For suspicious transaction
- a) Reporting Unit has to report to the Authorised Officer (via AML Department) within maximum twenty four (24) hours from the occurrence of transaction.
 - b) Within maximum twenty four (24) hours from the time of receiving the report mentioned in point (a) clause 2 of this Article, base on the STR drafted by AML department, the Authorised Officer has to consider and take decision to send/ not send the STR the competent state agency.
 - c) Duration for sending STR is defined from the occurrence of transaction. If Reporting Unit detects suspicious sign of a transaction however the transaction has been performed before the prescribed duration, Reporting Unit still has to send report on suspicious transaction immediately within the day of detecting such suspicious sign. The date of detecting suspicious signs is defined as the date when the Reporting Unit actively or compulsorily detects suspicious sign regarding to the actual situation that such suspicious transaction happened.
3. For transaction having criminal sign
- a) When realizing transaction having criminal sign, Reporting Unit has to report immediately to the Authorised Officer (via AML Department).
 - b) On the basis of the drafted report on transaction having criminal sign by AML Department, the Authorised Officer has to consider and decide to send/ not send the report to the State bank of Vietnam and Competent State Agencies in accordance with the regulations of Laws and of VPBank. The Competent State Agencies include Public Security or People's Procuracy at district level or higher where such transaction detected.
 - c) Duration for sending transaction having criminal signs: within the working day when Reporting Unit actively or compulsorily detects criminal signs regarding to the actual situation that such transaction happened.

Article 21. Duration of record retention

Reporting Unit and AML Department are responsible to retain document and report according to duration as follows:

1. For document of customer relating to AML/ CTF activity: at least five (05) years from the occurrence of transaction.
2. For document of Customer identification, accounting documentation and reports specified in Articles 16, 17 and 18 of this Regulation and relevant materials: at least five (05) years from the closing date of transaction or the date of closure of account or the reporting date.

Article 22. Confidentiality of reported information/ document

1. Information, document and other material relating to the transaction which has to be reported under this Regulation are retained as "Confidential" and only allowed to provide to the competent state agency and the competent authority of VPBank according to the laws and internal regulation of VPBank.
2. Reporting Unit is not allowed to disclose information to any other third party on reporting of suspicious transaction or relevant information to competent authority of VPBank.

Article 23. Report on money laundering activity for financing terrorism

1. *Money laundering activity for terrorism financing purpose* means an action of organization or individual aiming to legalize the origin of asset acquired from criminal activity in order to finance terrorist or to finance terrorism action.
2. After detecting transaction conducted by organization or individual listed in blacklist or when having clear evidence that other organization or individual commit activities relating to money laundering crime for terrorism financing, Reporting Unit is responsible to report immediately the money laundering activities with aim to finance terrorism to the Authorised Officer (via AML Department) for handling in accordance with laws and internal regulations of VPBank.
3. Basis to assume that organization or individual conducting actions relating to money laundering with the aim to finance terrorism includes:
 - a) Conducting or intending to conduct transaction relating to organization or individual listed in relevant Resolutions of United Nations Security Council.
 - b) Conducting or intending to conduct transaction relating to organization or individual in the list of organization and individual involving in terrorism and financing terrorism issued by other international organizations or other countries and being warned by the State bank of Vietnam.
 - c) Conducting or intending to conduct transaction relating to organization or individual convicted as terrorist and financing terrorism in Vietnam.
 - d) Conducting or intending to conduct transaction relating to organization or individual involving terrorism and financing terrorism that Reporting Unit has known from other information sources.
4. AML Department, after being approved by the Authorised Officer, is responsible to report promptly to the competent anti-terrorism agency and at the same time send the report on the activities relating to money laundering activity for terrorism financing purpose to the State Bank of Vietnam as guided by the State Bank of Vietnam.
5. The duration for reporting such transaction is the same as the duration for sending report on transaction having criminal sign as prescribed in point (c) clause 3 Article 20 of this Regulation.

Article 24. Anti-terrorism Financing

1. Reporting Unit is responsible to apply measures to prevent terrorism financing as specified in Article 5, Article 6, Article 7, Article 8, Article 9, Article 11, Article 12, Article 13 and Article 17 of this Regulation.
2. When suspecting any organization or individual relating to terrorism financing, Reporting Unit is obliged to report suspicious transactions by written document or electronic data to the Authorised Officer (via AML Department) in accordance with the law and VPBank regulation in each period so that AML Department can perform the reporting duties to the competent state agency as prescribed in Clause 4, Article 23 of this Regulation.
3. The content of the STR relating to terrorism financing must be conducted in accordance with the law and VPBank regulation in each period.

Chapter 3

COLLECT AND PROCESS INFORMATION ON AML, CFT, ETS

Article 25. Collect and process information

1. AML Department is entitled to request relevant Units and individual to provide information, material, document and other necessary information to analyze, evaluate and process the information on AML, CTF, ETS activities.
2. Reporting Unit and relevant Unit and individual are responsible to provide AML Department with information, material and document of transaction and other information as prescribed in this Regulation to serve the reporting, analyzing and processing of information.
3. Result obtained from the information and document processing as stated in Clause 1 of this Article is the “Confidential” information for AML, CFT, ETS activities at VPBank.

Mục 4

APPLICATION OF PROVISIONAL MEASURES

Article 26. Transaction delay

1. *Transaction delay* means the action of not processing the transaction in maximum three (03) working days from the beginning date of applying this measure and this is the form of temporarily blocking before receiving official decision issued by the competent state agency. After the above mentioned period if VPBank does not receive any official decision from Competent State Agency, the transaction is still conducted.
2. Unit dealing directly with Customer has to apply the measure of delaying transaction when at least one of parties involving to the transaction named in the blacklist or there is reason for the Unit to believe that the transaction requested to be performed relates to criminal activity.
3. Reasons to believe that the transaction requested to be performed relates to criminal activity include:

- a) The transaction is requested to conduct by the person convicted in accordance with the criminal procedure laws and asset in that transaction originated from the ownership or control of that person or property of organization owned or controlled by that person during or after the criminal activity being conducted.
 - b) Transaction as prescribed in clause 3 Article 23 of this Regulation.
4. Unit directly dealing with customers is responsible to report to the Authorised Officer (via AML Department) in writing right after delaying transaction. Basing on that, after being approved by the Authorised Officer, AML Department is responsible to report in writing as well as notify by telephone immediately to competent state agency and report to the State bank of Vietnam for coordination concurrently.
5. The Competent State Agencies specified in Article 26 include:
- a) The investigation agencies at all levels;
 - b) The People's Procuracy at all levels; the Military's Procuracy at all levels;
 - c) The People's Court at all levels; the Military's Court at all levels;

Article 27. Block account, seal or temporarily seize property

- 1. Unit directly dealing with customer has to block account or apply measure of sealing or temporary seizing property of individual and organization upon decision of Competent State Agency in accordance with laws and regulations of VPBank in each period.
- 2. Unit directly dealing with customer has to report to the Authorised Officer (via Department in charge of AML) immediately after blocking account so that VPBank can report to Competent State Agency timely.

Section 5

OTHER MEASURES

Article 28. Compose and promulgate internal regulations on AML, CFT, ETS

- 1. Basing on this Regulation and other relevant regulations of VPBank, all units in VPBank, according to their scope of functions and duties, are responsible to coordinate with AML Department to compose internal AML, CFT, ETS regulations of the VPBank (in order to submit those regulations to Competent Authority for issuance);
- 2. The content of those internal regulations has to comply with organizational structure, operational scale and risk level of money laundering in operation of VPBank;
- 3. Units, basing on their functions, duties and authorization, have to review, evaluate and recommend regularly to Competent Authority in order to amend and supplement internal regulations mentioned above ensuring that those regulations complying with the laws and VPBank regulations as well as the development of product and service provided by VPBank;
- 4. Internal AML, CFT, ETS regulations have to be delivered to each unit, individual in charge of implementing AML, CFT, ETS measure in each unit. AML, CTF, ETS related internal regulations have to be delivered to organization and individual hired by

VPBank to implement one or several tasks relating to the financial and monetary transaction in VPBank also;

5. Depending on each specific case, Competent Authority of VPBank decides to provide AML, CFT, ETS related internal regulations to other financial institutions serving correspondent banking relationships after being requested.

Article 29. Internal training on AML, CFT, ETS

1. AML Department cooperates with relevant units and Human Resource Division to construct and implement AML, CFT, ETS training program for staff including:
 - a) AML, CFT, ETS representatives at units;
 - b) Staffs who are assigned tasks relating to asset and money transactions with customers;
 - c) Staffs of supporting units (the divisions, the centers has the operational supporting functions and other units according to the regulations of VPBank in each period .
2. Within 06 (six) months from the recruitment date of new staff who are supposed to be in charge of AML, CFT, ETS or other tasks related to asset and money transactions with Customer, VPBank relevant Units must implement AML, CFT, ETS training program for those staff.
3. The training method is selected in accordance with VPBank's organizational scale and actual operating situation.
4. Content of training program:
 - a) The provision of the laws and VPBank 's internal regulations on AML, CFT, ETS;
 - b) Punishment for non-compliance, non-implementation and non-full implementation of the provision of the laws and VPBank 's internal regulations on AML, CFT, ETS;
 - c) Methods, means and trends of money laundering, terrorist financing;
 - d) Money laundering risk relating to products, services and tasks which VPBank officers and staffs are assigned to conduct;
 - e) Some international practices relates to the field of AML, CFT, ETS.
5. Related units and individuals are responsible to comply fully with the AML, CFT, ETS training program, any violation shall be considered and handled in accordance with regulations of VPBank in each period.

Article 30. Internal audit on AML, CFT, ETS

1. Internal Audit Division is responsible for auditing AML, CFT, ETS implementation annually or unexpectedly as requested by authorized level. The AML, CFT, ETS internal audit can be conducted independently or in combination with other contents
2. Internal auditing content includes: review, evaluate independently and objectively internal control system, internal regulation compliance; and recommend, propose

measures to improve efficiency and effectiveness of AML, CFT, ETS implementation.

3. Any violation detected in the controlling and internal auditing process must be reported to the Authorised Officer at VPBank, the CEO and AML Department for further handling.
4. Within 60 days after the end of each fiscal year, VPBank must send the AML, CFT, ETS internal auditing report to AML Department of the Banking Inspection and Supervision Agency - State Bank of Vietnam.

CHAPTER III

RESPONSIBILITY OF UNITS AND INDIVIDUALS IN

AML, CFT, ETS IMPLEMENTATION AND VIOLATION HANDLING

Article 31. Appointment of Officer and Department in charge of AML, CFT, ETS:

1. AML Department – Legal & Compliance Division is the specialized unit responsible to manage and monitor AML, CFT, ETS activities in VPBank.
2. The CEO assigns one member in the BOM to be responsible of organizing, directing and examining the compliance with AML regulations at VPBank (the Authorised Officer in charge of AML at VPBank) and registering contact details (full name, working place, phone number, fax number, email) with AML Department of Banking Inspector and Supervision Agency for communication if required. When changing the Authorised Officer or contact details of the Authorised Officer, the CEO or person authorized by the CEO must announce timely in writing to AML Department - SBV.
3. At Business Units and/or other relevant units, the CEO assigns Regional Manager or Branch Manager, equivalent management levels or appropriate officer as Branch AML Officer in charge of AML activities, including frequent monitoring and supervising of AML activities at those branches; implementing other rights and obligations in accordance with this Regulation and other relevant Law and VPBank's regulations.

Article 32. Responsibility of AML Department– Legal and Compliance Division

AML Department is responsible as the focal point to coordinate, in collaboration with other units in VPBank, to implement the following tasks:

1. Responsibilities relating to compose internal regulation:
 - a) Be the contact point in composing and submitting internal regulations relating to AML, CFT, ETS policies and implementation of AML, CFT, ETS measures in accordance with laws to Competent Authority of VPBank to promulgate those regulations.
 - b) Update provisions of AML, CFT, ETS laws regularly to propose Competent Authority to amend and supplement this Regulation as well as other relevant regulations and guidance of VPBank on AML, CFT, ETS.
 - c) Review and provide opinion in connection with AML, CFT, ETS to internal regulations composed by other units.

2. Responsibilities relating to report, provide, exchange and retain information, material:
 - a) Daily report large amount transactions and electronic money transfer transactions to the State Bank of Vietnam by sending electronic data files;
 - b) Handle and report to Competent Authority AML, CFT, ETS related information and reports submitted by reporting units;
 - c) Request other units in VPBank to provide AML, CFT, ETS related information and documents sufficiently and timely for synthesizing and providing to Competent State Agency or other organization, after being approved by Competent Authority of VPBank;
 - d) Be the contact point for receiving and submitting black lists, warning list and/or other AML, CFT, ETS related list issued by Competent State Agency and/or international organization to Competent Authority of VPBank to decide to deliver these lists to all units in VPBank;
 - e) AML Department performs evaluation and control AML/CFT/ETS compliance of VPBank annually and is responsible for reporting results to CEO and BOD.
3. Responsibilities relating to examination and evaluation of AML, CFT, ETS compliance:
 - a) Examine and inspect (periodically or suddenly) and assess the compliance of laws and regulations of VPBank on AML, CFT, ETS by itself or in coordination with relevant unit at all units in VPBank.
 - b) Report to Competent Authority result of activities mentioned in point (a) of this clause.
4. Responsibilities relating to internal training:
 - a) Coordinate with Human Resources Management Division of VPBank, other units with training function or other agency and/or organization to implement internal training activities on AML, CFT, ETS.
 - b) Actively coordinate with relevant unit to design AML, CFT, ETS training material.
5. Responsibility for providing advice, recommendations relating to AML, CFT, ETS to units when being requested in accordance with VPBank regulations.
6. Other responsibilities and duties relating to AML, CFT, ETS as assigned or appointed by the competent level of VPBank in each period.

Article 33. Responsibility of Operation Division and Retail Banking Division

1. Responsibility of Payment, Trade and Treasury Centre – Operation Division and Western Union Department – Retail Banking Division, within scope of their function and duty, have responsibilities in implementing following tasks:
 - a) Monitor and review regularly payment activity of the whole VPBank system through centralized payment portals, and ensure that all payment transactions are processed through these departments in compliance with local and international laws as well as VPBank regulations on AML, CFT, ETS.

- b) Report promptly to competent authority the case detected as having suspicious sign or money laundering sign during working process.
 - c) Implement or coordinate with relevant units to implement reporting periodically or adhocly as requested by State Bank of Vietnam, VPBank and other authorities.
 - d) Coordinate with AML Department to (i) compose internal regulations relating to AML, CFT, ETS policies and (ii) implement AML, CFT, ETS measures in accordance with provisions of law.
 - e) Collect and retain document, material relating to AML, CFT, ETS in payment operation of VPBank and other financial institutions having relationship with VPBank.
 - f) Implement and comply strictly and fully with provisions of law and internal regulations or guideline of VPBank on AML in each period.
2. Responsibility of Post Control Department – Operation Division:
- a. Co-operate with AML Department to control the compliance of units relating to Know your customer in AML.
 - b. Report to the Authorised Officer (via AML Department) about the result of KYC control at units.

Article 34. Responsibility of Risk Management Division

Risk Management Division, within scope of its function and duty, has responsibilities to cooperate with AML Department in implementing AML, CFT, ETS related tasks including:

- 1. Co-operate with relevant units to research and compose regulation, procedure and guidance for performing money laundering risk management related tasks in new-technology transactions.
- 2. Co-operate with other relevant units to propose Competent Authority of VPBank to implement measures and tools of money laundering risk management in accordance with risk management strategy of VPBank in each period.
- 3. Implement other AML, CFT, ETS related task and duty assigned by Competent Authority of VPBank in each period.

Article 35. Responsibility of Information and Technology Division

Information and Technology (IT) Division, within scope of its function and duty, has responsibilities in implementing AML related tasks including:

- 1. Research on technology and update to Competent Authority, AML Department and other units of VPBank about IT product used for AML purpose in finance and banking sector.
- 2. Co-operate with Legal and Compliance Division and other relevant units to research,

compose regulation, procedure and guidance for performing AML related task in IT field.

3. Co-operate with AML Department and other relevant unit to design, select, implement and apply AML related IT product/solution as directed by Competent Authority of VPBank.
4. Implement other AML, CFT, ETS related task and duty assigned by Competent Authority of VPBank in each period.
5. Ensure the available of audit trail for searching information about time and AML/CFT/ETS lists uploaded on the system.

Article 36. Responsibility of Internal Audit Division

Internal Audit Division, within scope of its function and duty, has responsibilities in implementing AML related tasks including:

1. Conduct AML audit during operational auditing process at Units in accordance with the provisions of the Law and this Regulation.
2. Timely report to Competent Authority about cases detected having suspicious or money laundering sign during the audit process at unit.
3. Prepare AML audit report at VPBank and deliver this report to the State Bank of Vietnam as specified and required by laws.
4. Implement other AML related task, duty assigned by Competent Authority of VPBank in each period.

Article 37. Responsibility of Human Resources Management Division

Human Resources Division, within scope of its function and duty, has responsibilities in implementing AML related tasks including:

1. Co-operate with AML Department and other relevant units to design training plan and program applied for VPBank staff in order to submit to Competent Authority of VPBank for approval.
2. Be the contact point for organizing training course and implement AML training activities applied for VPBank staff according to the plan, program approved by Competent Authority of VPBank.
3. Co-operate with AML Department and other relevant units, if any, to examine, assess participants joining in AML training courses.
4. Retain results of examination and assessment mentioned above to consider signing/re-signing labor contract and other personnel assessment. Depending on each level, the violator shall be considered for labor punishment according to VPBank's regulation in each period.
5. Implement other AML related task, duty assigned by Competent Authority of VPBank in each period.

Article 38. Responsibility of Unit in charge of Customer Identification

Unit in charge of Customer Identification, within scope of its function and duty, has responsibilities in implementing AML, CFT, ETS related tasks including:

1. Comply strictly and fully with legal and internal regulation regarding AML, CFT, ETS issue;
2. Actively report and review transaction in compliance with AML, CFT, ETS laws and internal regulation of VPBank.;
3. Co-operate with AML Department and/or Internal Audit Division during the process of AML audit at unit;
4. Actively provide information and documentation completely, promptly and within deadline as required by AML Department;
5. To be prohibited from colluding and covering Customer when Customer provides inaccurate and false information; and hiding suspicious information, signs of transaction or Customer;
6. Head of Unit directly dealing with Customer has responsibility to implement provisions of laws and internal regulations of VPBank and other tasks mentioned in this Article;
7. Other responsibilities according to VPBank regulations in each period.

Article 39. Responsibility of staffs relating to AML implementation

1. Responsibility of Authorised Officer at VPBank:

Authorised Officer at VPBank has responsibilities as follows:

- a) Be directly incharge of VPBank's AML, CFT, ETS;
- b) Direct AML Department and other relevant unit to compose, amend, supplement and review AML related regulations of VPBank to ensure those regulations complying with applicable laws;
- c) Report to CEO and BOD on implementing AML, CFT, ETS related regulations, policies and measures in VPBank when being requested;
- d) Within authorization, sign on AML, CFT, ETS related reports or dispatchs between VPBank and other Competent State Agency or relevant organization.
- e) Keep AML related information, material confidential.
- f) Other responsibilities according to VPBank regulations in each period.

2. Responsibility of AML Department's staffs

AML Department's Staffs, after being assigned, has responsibilities as follows:

- a) Compose, draft and review AML, CFT, ETS related regulations, policies of VPBank to ensure those regulations, policies complying with the laws;
- b) Be the contact point to receive and exchange information, report between units and competent level of VPBank and between VPBank and Competent State Agency;

- c) Explain and guide units in the whole bank to implement AML, CFT, ETS related regulations, policies of VPBank;
- d) To be prohibited from colluding or covering unit when detecting that unit provide incorrect or fake information or hide suspicious information of transaction or Customer;
- e) Keep AML, CFT, ETS related information, material and others relating to tasks assigned confidential.
- f) Report timely to Competent Authority of VPBank and propose appropriate solution for suspicious transactions and Customers after receiving report from units;
- g) Promptly inform and coordinate with unit to implement provisional measures, if any, or other measures designed in approved plan to resolve suspicious transactions and Customers;
- h) Implement other tasks relating to AML, CFT, ETS internal training;
- i) Implement examining and inspecting unit in AML, CFT, ETS activities;
- j) Other responsibilities according to VPBank regulations in each period.

3. Responsibility of AML, CFT, ETS Representative at Unit:

- a) Regularly update and follow up to acknowledge provisions of law and internal regulations, policies of VPBank on AML, CFT, ETS;
- b) Instruct and provide training to officers and staffs at unit on VPBank's AML regulations and policies in each period;
- c) Supervise and monitor officers and staffs at unit to implement strictly provisions of the Law and internal regulations and policies of VPBank on AML, CFT, ETS, including but not limited to: identify and update customer information, conduct customer and transaction due diligence against AML lists; prepare reports to VPBank Competent Authority...;
- d) Instruct officers and staff at unit to implement AML, CFT, ETS measures effectively.
- e) Report AML, CFT, ETS implementation status as requested by AML Department, VPBank competent authorities and in accordance with provisions of the Law.
- f) Secure AML, CFT, ETS related information and documents provided or self-processed.
- g) Implement other responsibilities relating to AML, CFT, ETS requested by AML Department and VPBank's competent authority and in accordance with provisions of the Law.

4. Responsibility of management officer of Unit in charge of Customer Identification

According to their scope of functions and duties, management officers of Unit in charge of Customer Identification have the following responsibilities:

- a) Regularly update and follow up to acknowledge provisions of law and internal regulations, policies of VPBank on AML, CFT, ETS.
- b) Cooperate and support AML, CFT, ETS representative at unit in performing AML, CFT, ETS tasks.
- c) Secure AML, CFT, ETS related information and documents provided or reported.
- d) To be prohibited from colluding and covering Customer when Customer provides inaccurate and false information; and hiding suspicious information of transactions or Customers.
- e) Other responsibilities according to VPBank regulations in each period.

5. Responsibility of Staff in charge of Customer Identification

Staffs directly dealing with Customer have responsibilities as follows:

- a) Strictly and fully comply and implement provisions of the Law, VPBank regulations on AML, CFT, ETS and other procedures relating to Customer's transactions.
- b) Regularly update and follow up to acknowledge provisions of law and internal regulations, policies of VPBank on AML, CFT, ETS
- c) Keep AML, CFT, ETS related information, material and other self-detected and reported suspicious transaction confidential.
- d) To be prohibited from colluding and covering Customer when Customer provides inaccurate and false information; and hiding suspicious information of transactions or Customers.
- e) Other responsibilities according to VPBank regulations in each period.

Article 40. Handle violation

1. Unit directly dealing with Customer, Units, Staffs have activities that violate this Regulation, depending on each level, shall be handled according to regulations of VPBank in each period.
2. In case the violation cause damage to VPBank at all level, the violator has to compensate VPBank. The compensation value is determined by competent authority of VPBank but the lowest level shall be equal to the actual damage value occurring to VPBank.
3. In case the violation having sign of breaching criminal laws, base on the direction and approval of competent authority of VPBank, AML Department and relevant Units coordinate to transfer the case and related document/ information to Competent State Agency to handle according to Vietnamese laws.

CHAPTER IV

IMPLEMENTATION PROVISION

Article 41. Implementation provision

1. This Regulation shall come into effect on the date of 03/01/2018 and replace following

documents:

- Regulation on implementing anti-money laundering measures in VPBank no. 1935/2014/QĐi-HĐQT issued by BOD on December 31, 2014.
2. The CEO is authorized by the BOD to regulate in details of and guide to implement this Regulation.
3. Those were not specified in this Regulation shall be implemented as relevant provisions of laws and VPBank regulations. Any content of this Regulation being incompliance with laws and/or with regulation of General Meeting of Shareholders shall be automatically null and void.
4. Any amendment/supplementation/replacement in this Regulation is determined by the Board of Directors. The Board of Management, units, relevant officers and staff are supposed to implement this Regulation.

Recipients:

- BOD, BOS (for reporting purpose);
- CEO Office;
- Head of Regions, Branches, Transaction Offices;
- HO Managers;
- VPBank Staff;

ON BEHALF OF BOARD OF DIRECTORS

CHAIRMAN

Signed and Sealed

NGÔ CHÍ DŨNG