



REPUBLIC OF SENEGAL

One People – One Goal – One Faith
MINISTRY OF ECONOMY AND FINANCE



National Financial Intelligence Unit
National Financial Intelligence Unit

Rules and Regulations

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Republic of Senegal

MINISTRY OF ECONOMY
AND FINANCE

NATIONAL FINANCIAL INTELLIGENCE
PROCESSING UNIT

RULES AND REGULATIONS

Chapter I Missions and jurisdiction

Article One The National Financial Intelligence Processing Unit (CENTIF), instituted by Law n° 2004-09 of February 6th 2004 on the fight against money laundering, is an administrative service placed under the authority of the Minister of Economy and Finance and endowed with decision-making authority on matters within its jurisdiction.

Article 2 The mission of CENTIF is to gather, use and process financial intelligence transmitted by the institutions and individuals specified by the law via reports of suspicious transactions presented in the model approved by the Minister of Economy and Finance.

Article 3 CENTIF receives all other pieces of information useful for the pursuit of its mission (particularly the information communicated by control authorities and judicial police officers).

To improve reports of suspicious transactions, CENTIF can request information from the institutions or individuals specified by the law, as well as all other persons or legal entities. The institutions and individuals specified by the law can not, for reasons of professional secrecy, refuse to provide such information to CENTIF.

Where there is an emergency, the reports can be transmitted by telephone or via electronic mediums, on condition that a confirmation in writing is delivered within 48 hours.

Article 4 Upon receipt of such information, CENTIF sends a message of acknowledgement to the reporting party.

Article 5 CENTIF has the authority to freeze a transaction for a period no longer than 48 hours under exceptional circumstances warranted by reliable and corroborative evidence in the Unit's possession.

Article 6 CENTIF also provides strategic services, such as:

- periodic studies, it can commission or conduct changing trends in money laundering techniques;
- Advice on the money laundering policy of the State.

Chapter 2 Ways of working

Article 7 The President of CENTIF is the managing authority of CENTIF. The President is appointed by decree in a cabinet meeting, based on a proposal from the Minister of Economy and Finance. The President has the rank of a national Director.

The President supervises, coordinates and leads the activities of CENTIF. He is the sole decision-maker and signatory authority (memos, mission orders, CENTIF mandate and any other document involving the Unit's liability).

The President of CENTIF can delegate power, in precise cases, to other members of CENTIF.

The Minister of Finance can confer power of attorney on the President of CENTIF for certain acts within the province of his responsibilities.

Article 8 The President of CENTIF refers cases that may constitute acts of money laundering to the competent Prosecutor after consulting with the Unit's investigation review committee.

The committee, made up of all members of CENTIF and chaired by the President of CENTIF, meets two times per week.

Where there is an emergency with sufficient evidence to establish acts of money laundering, the President of CENTIF reports immediately to the Prosecutor without prior consultation with the Unit's review committee.

In the absence of the President of CENTIF, the Magistrate serving as Deputy Director for international relations and judicial matters assumes responsibility as chairperson of the review committee.

Article 9 The other members of CENTIF, sent on secondment by their respective Ministries, are appointed by decree based on a proposal from the Minister of Economy and Finance. Those on Category A, or of an equivalent level, have the rank of Deputy Director.

Article 10 The Secretary General coordinates CENTIF's technical activities, handles relations between CENTIF and the banking sector, runs the training component, and draws up quarterly reports.

Article 11 Investigations are coordinated jointly by the Customs Inspector for administrative and financial investigations and the Police Commissioner for police investigations.

They are assisted by analysts (Level A or equivalent), investigators and investigative assistants (Level B or C).

Article 12 Members of CENTIF have an obligation to observe professional secrecy. They take an oath of office in this regard before entering into duty.

Article 13 Members of CENTIF can not serve concomitantly as director, administrator or manager in the agencies mentioned in paragraph 5 of the above law.

Article 14 CENTIF works closely with correspondents in the Police, Gendarmerie, Customs and Judicial services or any other service with a role deemed useful to the Unit. These correspondents, appointed by ministerial order, are subjected to the same obligation for secrecy as the Unit's members, and support CENTIF in gathering financial intelligence.

The correspondents receive a monthly allowance for their efforts in the activities of CENTIF. The amount of these allowances is set by the Minister of Economy and Finance or the President of CENTIF on the Minister's behalf.

Article 15 Anti-money laundering officers serving the other institutions and individuals specified by the law, work as CENTIF collaborators.

Article 16 CENTIF can call on foreign technical assistance with authorization from the Minister of Economy and Finance.

Article 17 CENTIF is allowed to use informants in processing intelligence.

Article 18 CENTIF has an analysis service, a data processing service and a Financial and Administrative service.

Article 19 CENTIF hires technical and administrative staff based on the Collective Agreement of Banks and Financial Institutions in Senegal.

CENTIF staff members have the same obligation for secrecy as the members.

Personal visits to CENTIF are strictly forbidden.

Any infringement of these rules could expose staff to punitive administrative measures (suspensions, dismissals) and legal charges.

Article 20 For security purposes, CENTIF premises are guarded day and night by armed police or gendarme officers.

Article 21 The President of CENTIF, and all other members of the Unit, can request the services of a bodyguard if need be.

Chapter 3 Budget and Finance

Article 22 CENTIF is financially self-reliant. The Unit has an annual budget served with an endowment from the State, from WAEMU affiliate institutions, and development partners. The President of CENTIF authorises payment.

Article 23 The CENTIF budget is prepared by the payment authority along with other members of the Unit and approved by the Minister of Economy and Finance.

Article 24 Management of the CENTIF budget obeys private accounting rules (Syscoa) and is performed by the CENTIF accountant under the supervision of the Chief of the Administrative and Financial Bureau.

Article 25 CENTIF runs a small fund used by the accountant to pay for minor recurrent costs (expenses below 300.000 FCFA), and a current local bank account with transactions signed by the Minister of Economy and Finance.

Article 26 The CENTIF budget covers members' allowances, as well as salaries and other personnel costs.

Article 27 The public servants, placed on secondment to CENTIF by virtue of a memo from the Minister of Economy and Finance, are paid monthly salaries from the CENTIF budget.

Article 28 Extra credits can be used in the course of the year to make up for shortfalls in the initial CENTIF budget. These extra credits are subjected to the same presentation and execution rules as the initial budget.

Article 29 Missions inside Senegal and abroad, commissioned by the Chair of CENTIF, are covered entirely by CENTIF budget.

The President of CENTIF travels in «Business Class» while on mission abroad. The Unit's other members go by economy class. Daily subsistence allowance rates for mission travel on behalf of the Unit are the same as those in the Public Service.

Article 30 CENTIF accounts are controlled by the national audit office.

Chapter 4 Annual Report

Article 31 Each year, CENTIF draws up a report at the beginning of each quarter. This report covers the Unit's activities over the past months and is submitted to the Minister of Economy and Finance.

Article 32 CENTIF's reports are transmitted also to BCEAO headquarters to inform the WAEMU Council of Ministers.

Chapter 5 Other provisions

Article 34 These rules and regulations render void, and replace the rules and regulations approved on 22 February 2005 by the Minister of Economy and Finance.

Done in Dakar, on 08/06/2005

Seen and approved by
The Minister of State
for Economy and Finance

The Chair of CENTIF

Abdoulaye DIOP

Ngouda Fall KANE