



## **Procedure for termination notification of a business relationship pursuant to art. 9b AMLA – entering a report CANCL/CANCT**

Since January 1, 2023, financial intermediaries are allowed, under certain conditions, to terminate a business relationship that has previously been the subject of a suspicious activity report – regardless of whether the report was made based on art. 9 para. 1 lit. a AMLA or Art. 305ter para. 2 of the Swiss Criminal Code (SCC) – upon expiry of 40 working days following the date of receipt noted on the acknowledgement receipt of the suspicious activity report (new art. 9b AMLA).

However, financial intermediaries must inform MROS without delay if they terminate a business relationship previously reported to the Money Laundering Reporting Office Switzerland (MROS). This provision does not apply to business relationships indicated in reports whose information has already been transmitted to a law enforcement authority.

The content of such termination notices of a business relationship is determined in art. 3 para. 1<sup>bis</sup> of the Ordinance on the Money Laundering Reporting Office (MROSO).

If it is reported electronically, this termination notice of a business relationship must be made by means of a new report type (CANCL/CANCT), which contains the information about the terminated business relationship in a structured manner (reference of the report, accounts concerned, date of termination, etc.).

Practice has shown that a significant amount of reported business relationships has only a negligible balance at the time the report is filed. It has also been shown that financial intermediaries generally terminate such business relationships after the 40-day deadline specified in Article 9b AMLA has expired. In such cases, the information available between the time the report is submitted and the subsequent termination notification does not change significantly. A separate notification of termination therefore does not add any value.

In the interest of efficient reporting and processing, it is reasonable for financial intermediaries, in cases where:

- (a) the balance of the entire business relationship is less than **CHF 15,000** at the time of the reporting, and
- (b) a termination of the business relationship is **irrevocably planned by a specific date according to Art. 9b AMLA**,



to be allowed to notify the Money Laundering Reporting Office (MROS) of the planned termination already at the time of submitting the suspicious activity report, and to forego a separate termination notification at a later point, i.e., at the actual time of termination of the business relationship ("de minimis practice for termination notification"). Combining the suspicious activity report and the termination notification avoids unnecessary work steps. If MROS requires information about the terminated business relationship at a later stage, it will obtain this by means of a request in accordance with Article 11a AMLA.

#### Technical implementation/requirements:

If the above-mentioned conditions for a reportable business relationship are met and it is already known at the time of the suspicious activity report that the relationship is to be terminated, the code "**CANC40**" can be entered as the first line in the second text field "*Reason for suspicion*" (technical XML field name: "**action**"), followed by a line break, as shown in the example below:

Landeswährungscode: CHF      Meldende Stelle: MROS (Financial Intelligence Unit)      Meldende Stelle: 1      ID der Meldung: 137670-0-0

Filiale der meldenden Stelle	* Referenz Nr. meldende Stelle ist erforderlich!	* Übermittlungsdatum	Ref. Nr. MROS
<input type="text"/>	<input type="text"/>	08.08.2025	<input type="text"/>
Previously Rejected Report Ref Number	<input type="text"/>		
* Darstellung des Sachverhalts			
Die Geschäftsbeziehung XYZ wurde am 21.9.2000 bei unserer Geschäftsstelle in Zürich eröffnet. Der Kunde gab dabei an, dass die Vermögenswerte aus dem Verkauf eines Grundstückes in Kanada stammen. Er habe dieses Grundstück von seinem Vater geerbt, habe aber kein Interesse daran und deshalb zum Verkauf ausgeschrieben. In der intern. Presse wird der Kunde nun i.Z. mit Verdacht auf betrügerische Handlungen erwähnt.			
* Grund für Verdacht / Was haben Sie bereits unternommen?			
<b>CANC40</b>			
Unsere Abklärungen haben ergeben, dass die auf der GB gebuchten Konten von einem dubiosen Anwalt aus den Seychellen stammen. Dieser ist selber auch in die Betrugsaffäre verstrickt und soll mitgeholfen haben. Die vermutlich betrügerisch erlangte Gelder ausser Landes zu transferieren.			
wir können nicht ausschliessen, dass zumindest teilweise aus einer Straftat stammende Gelder auf der nun gemeldeten Geschäftsbeziehung parkiert wurden. Wir machen deshalb vom Melderecht nach Art. 305ter Abs. 2 StGB Gebrauch.			

By providing this same code each time, MROS will later be able to mark the reported business relationship(s) accordingly. It should be noted that MROS assumes all business relationships included in a report must be affected by the code "CANC40"; otherwise, this procedure is not applicable and separate reports must be filed for each business relationship.

### Entering of a CANCL/CANCT report following the termination of a business relationship pursuant to art. 9b AMLA

If one or more of the above conditions do not apply, the cancellation must be reported using report type CANCL (without transaction) or CANCT (with transaction)., the CANCL (without transaction) or CANCT (with transaction) reporting type should be selected. It should be mentioned that it is optional to document the withdrawal of significant assets in the context of the termination of the business relationship (art. 3 para. 1<sup>bis</sup> MROSO) by means of transactions (CANCT report). The terminated business relationship can also be reported to MROS by



means of a CANCL report (analogous to the SAR report) or, if necessary, by means of a CANCT report and a multiparty dummy transaction.

Any withdrawal of significant assets in the context of the termination of the business relationship must be documented for both CANCT and CANCL reports by means of account statements attached to the report. However, it is possible that no such withdrawal of significant assets takes place (e.g. if there were already no assets left in the business relationship at the time of the suspicious activity report). In this case, it can also not be documented.

Select a report type to continue

▼

Create Report

AIF

AIFT

CANCL- Termination BR acc. art. 9b AMLA

CANCT - Termination BR acc. art. 9b AMLA

No

Yes

Information – Domestic) or ISD (Incoming Spontaneous Information – Domestic).

In the main entry screen of the report, the marked mandatory fields must be filled in accordingly. It is particularly important that the reference number of the related previous report in which the terminated business relationship have been reported as suspect to MROS (e.g. STR-00021x) is always entered in the "Ref. nr. MROS" field. Only the reference number itself must be entered without any additional text such as "MROS Ref".

**The termination of several business relationships may be reported at the same time in one termination notice, but only if they were originally reported under the same suspicious activity report.**

Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Bundesamt für Polizei fedpol  
Office fédéral de la police fedpol  
Ufficio federale di polizia fedpol

DE | EN | FR | IT  
(Taiko) Mein Sparschwein AG

NEW REPORTS • DRAFTED REPORTS • SUBMITTED REPORTS • MESSAGE BOARD (2) • MY GOALS • STATISTICS • ADMIN • HELP

SWITCH ORGANISATION • LOGOUT

CANCL: 9633-0-0

Attachments

Report type / suspected predic...

Activity

▼ sf

CANCL- Termination BR acc. art. 9b AMLA

Local Currency Code: CHF

Reporting Entity: Mein Sparschwein AG

Reporting Entity: 163

Report ID: 9633-0-0

Reporting Entity Branch

Reporting Entity Reference  
TERMINATION-001

Report Date  
9/9/2022

Ref. No. MROS  
STR-00021x

Description of facts  
Termination of a business relationship pursuant to art. 9b AMLA

Reason for suspicion / what steps have been taken?  
Termination of a business relationship pursuant to art. 9b AMLA

Address of reporting entity

Type  
Business

Address  
Stallstrasse 1

City  
Schweinfurt

Zip

Country  
GERMANY

Comments



In the submenu "Attachments", the mandatory documents pursuant to art. 3 Para. 1<sup>bis</sup> MROSO such as balancing documents (confirmation of termination including date of termination) and account statements must be uploaded in the CANCL/CANCT report to document any withdrawal of significant assets as part of the termination of the business relationship.

File Name	File Size	
Termination BR - confirmation of termination	62832	
Termination BR - account statements	142863	

For the indicators, the codes **0024M**, **1207V**, **2103G** and **3023B** must be selected in the submenu "Report type / Suspected predicate offense / factor(s) arousing suspicion / type of attachments".

Code	Report type / suspected predicate offense(s) / factor(s) arousing suspicion / type of attachments
<input checked="" type="checkbox"/> 0024M	Art. 9b GwG
<input checked="" type="checkbox"/> 1207V	Art. 9b GwG
<input checked="" type="checkbox"/> 2103G	Art. 9b GwG
<input checked="" type="checkbox"/> 3023B	Saldierungsnachweis infolge Abbruch einer Geschäftsbeziehung gemäss Art. 9b GwG

In the last submenu "Activity" (CANCL) or "Transaction" (CANCT) the balanced accounts must be entered. If a CANCT report is generated, any withdrawal of significant assets must be documented as part of the balancing of the accounts by means of corresponding BiParty transactions.

The following mandatory fields must be completed in the "Account" section for both CANCL and CANCT reports:

- Account nr. or IBAN;
- Institution name;
- Canton of business relationship;
- BIC;
- Status of the account ("closed");
- Account currency;
- IBAN;
- Balance date;
- Additional comments.



How such an account entry is made can be found in chapter 9.4.2.5 of the goAML Web – manual. In addition, the text "Termination BR pursuant to art. 9b AMLA" must be added to the comment field of the account as shown below.

Additional mandatory information for a CANCT report:

- The balanced accounts must be entered with all details (contracting party, beneficial owners, authorized signatories, etc.);
- The accounts of any counterparties to transactions must be entered (institution name, BIC, account number and/or IBAN, account holder (if any));
- Additional information (e.g. reason for payment according to payment order in a transaction or information on the counterparty).

The screenshot shows the goAML web portal interface for a CANCT report. The left sidebar shows the navigation menu with 'NEW REPORTS', 'DRAFTED REPORTS', 'SUBMITTED REPORTS', 'MESSAGE BOARD', 'MY GOAML', 'STATISTICS', 'ADMIN', and 'HELP'. The main content area is titled 'Account' and contains the following fields:

- Role (see tooltip)
- Add. info to role
- Comments
- Account Category
- Account / IBAN Number: 123456
- BIC: TEBACHXX
- Institution Name: Test Bank Inc.
- City of relationship / other comments: Zurich
- Account Type
- Status Code: Closed
- Opened: M/d/yyyy
- Account currency: Swiss Franc
- Balance in CHF
- Balance in foreign currency
- Date of balance: 9/9/2022
- Additional comments: Termination BR pursuant to art. 9b AMLA

**Note:** All accounts affected by the termination of the business relationship, which were previously reported to MROS in the corresponding suspicious activity report, must be entered resp. contained in structured form in the respective XML file.

It is also important to note that MROS does NOT send acknowledgement receipts to the reporting financial intermediaries after receiving CANCL/CANCT reports on the termination of a business relationship. As soon as the respective report is in the "Processed" status under the "Submitted reports" tab in the web portal, it is considered to have been transmitted resp. received by MROS.

MROS reserves the right to reject incorrectly or incompletely recorded CANCL/CANCT reports for revision by the financial intermediary.