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Money Laundering Reporting Office Switzerland MROS

Instructions for entering and transmitting a message via the Message Board of the goAML web portal in connection with a termination notice of a business relationship according to art. 9b of the Anti-Money Laundering Act (AMLA)

As of 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 on the basis of art. 9 para. 1 lit. a AMLA or art. 305ter para. 2 of the Swiss Criminal Code (SCC) – upon expiry of a period 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 MROS. It should be noted that this provision does not apply to business relationships indicated in reports that have been forwarded to the law enforcement authorities.
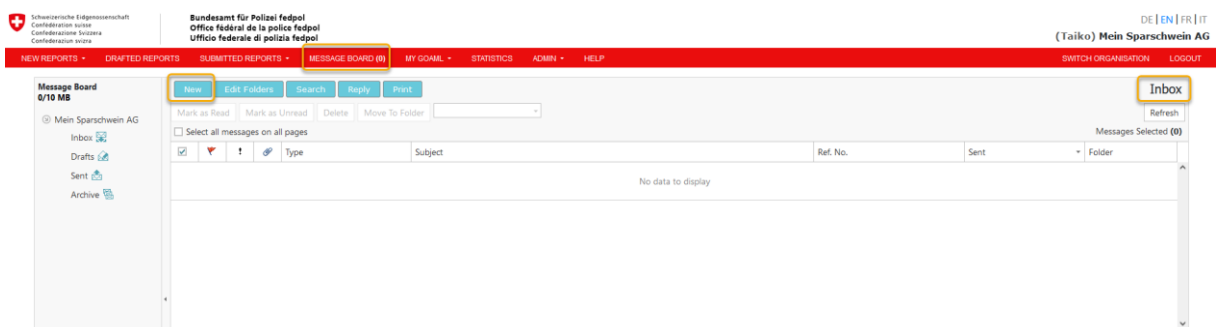
The content of such termination notices of a business relationship is determined in art. 3 para. 1bis of the Ordinance on the Money Laundering Reporting Office (MROSO).

If it is reported electronically, this notification of the termination of a business relationship must be done by means of a new type of report (CANCL/CANCT), structuring the information relating to the terminated business relationship (reference of the report, accounts concerned, date of termination, etc.).

As a transitional measure and **until the deadline for the implementation of goAML version 5 by the financial intermediaries has been reached**, this termination notice of a business relationship can also be made by means of a message sent via the Message Board of the goAML web portal.

The following instructions must be observed:

Click on "Message Board" in the menu bar (red bar at the top) and then on the "New" button in the inbox.

In the new entry mask that appears, the following fields **must** be filled in:

1. Select type of message (drop-down selection -> "Cancel BR by FI")
2. Enter the MROS ref. nr (that is the SAR/STR reference number of the underlying report). Please only enter the SAR/STR reference number as noted on the MROS acknowledgement of receipt (e.g. STR-00011x). The financial intermediary's own reference number or any MROS case reference number are not permitted, as this would prevent an automatic link of the message to the underlying report.
3. Indicate a subject (e.g. "Termination notice pursuant to art. 9b AMLA - u/Ref. No. xx").
4. Enter a message text.
5. Upload an Excel file using the MROS template (see here) with a list of all accounts affected by the termination of the business relationship that were previously reported to MROS in the corresponding SAR/STR.
6. Upload the documents required under art. 3 para. 1bis MROS Ordinance, such as balancing vouchers (e.g. confirmation of termination and date of termination) and account statements to document any withdrawal of significant assets as part of the termination of the business relationship.
7. Once all the fields listed above have been filled in according to the default, the message can be submitted by clicking the "Send" button.

The following is an example of such a notice via Message Board:
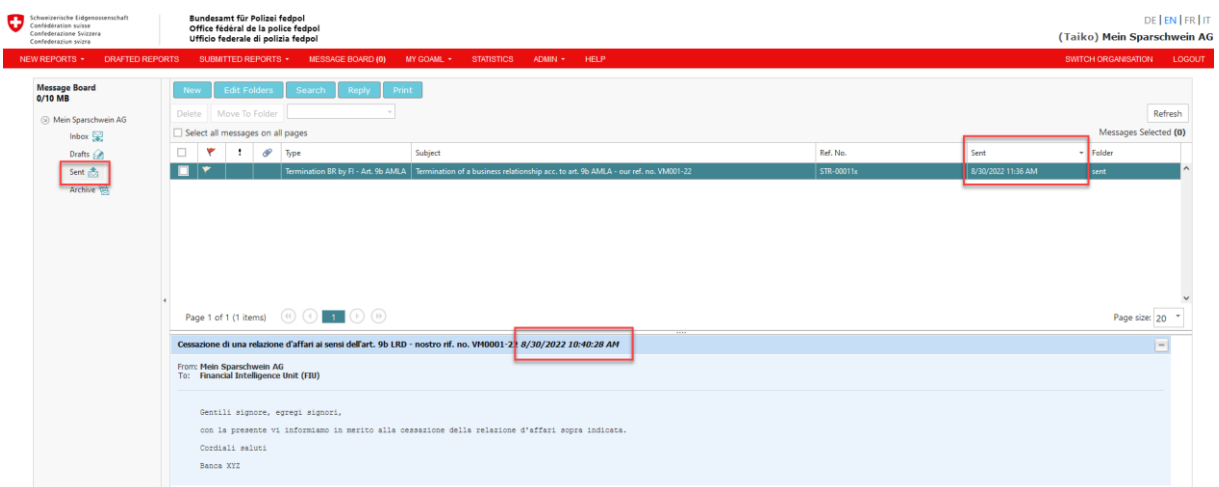
Please note: It is important that the fully and correctly filled out Excel file is attached to the notification via Message Board without exception. In order to avoid later inquiries by MROS, all accounts affected by the termination of the business relationship – which must be identical to those originally reported as suspicious – must be listed.

MROS recommends that financial intermediaries keep a copy of the message sent for their records and reminds them that the information contained in the Message Board can only be consulted for 30 days.

MROS does NOT send any acknowledgment receipt to the financial intermediaries to confirm receipt of the business relationship termination notices.

Financial intermediaries can see the successful transmission under the "Sent" submenu in the upper left margin in the corresponding view of the message based on the date and time in the "Sent" column (see screenshot below).

It should also be noted that no collective messages may be sent when terminating business relationships that were previously reported in different STRs/SARs. The termination of several business relationships can be reported simultaneously in one message, but only if they were reported in the same SAR/STR. This is because the reporting of the termination of a business relationship in goAML is automatically linked to the underlying report, which means that the SAR/STR number must be entered correctly in the "reference number" field. Therefore, it is not allowed to mention more than one reference number in this field.

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