



## Form to Make Representations to the Director

Under paragraph 73.14(1)(b) of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*, if you have received a Notice of Violation, you can make written representations to the Director of FINTRAC with respect to the violation(s) and the proposed penalty. You may provide any information in support of your representations. **This form is optional and has been prepared to guide persons and entities that wish to submit written representations.**

Representations must be made to FINTRAC within thirty (30) days following the day on which you received the Notice of Violation.

### Part A – INFORMATION ABOUT THE PERSON OR ENTITY MAKING REPRESENTATIONS

#### Person or Entity Name:

Name:

#### Person or Entity's Contact Person:

Surname:		Given Name:	
Mailing Address:			
City:	Province:	Postal Code:	
Phone:	Fax:	Email:	

#### Representative's Contact Information (To be completed only if you are representing the person or entity)

Surname:		Given Name:	
Name of firm or organization (if applicable):			
Mailing Address:			
City:	Province:	Postal Code:	
Phone:	Fax:	Email:	



## Part D - REPRESENTATIONS

Your representations must be made **in writing**. Only violations for which you have presented written representations will be reviewed by the Director.

- Clearly identify each of the violations you are disputing and explain why you are disputing the violations.
- If applicable, include copies of any documents or materials in support of your representations and indicate to which violations they relate.
- You may attach additional pages if needed and number them accordingly.

**Violation Number and/or Description:**

**Attached Document(s) Name (if applicable):**

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**Representations:**

## Relevant Provisions of the Act

The following are provisions of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* that apply to the submission of representations concerning Administrative Monetary Penalties (AMPs) issued by FINTRAC.

### **Proceeds of Crime (Money Laundering) and Terrorist Financing Act**

**73.14** (1) When the Centre issues a notice of violation under subsection 73.13(2), the notice shall name the person or entity believed to have committed a violation, identify the violation and set out

- (a) the penalty that the Centre proposes to impose;
- (b) the right of the person or entity, within 30 days after the day on which the notice is served or within any longer period that the Centre specifies, to pay the penalty or to make representations to the Director with respect to the violation and the proposed penalty, and the manner for doing so; and
- (c) the fact that, if the person or entity does not pay the penalty or make representations in accordance with the notice, the person or entity will be deemed to have committed the violation and the Centre will impose the penalty in respect of it.

(2) If a notice of violation contains any error or omission, the Centre may serve a corrected notice of violation on the person or entity at any time during the period referred to in paragraph (1)(b).

**73.15** (1) If the person or entity pays the penalty proposed in the notice of violation, the person is deemed to have committed the violation and proceedings in respect of it are ended.

(2) If the person or entity makes representations in accordance with the notice, the Director shall decide, on a balance of probabilities, whether the person or entity committed the violation and, if so, may, subject to any regulations made under paragraph 73.1(1)(c), impose the penalty proposed, a lesser penalty or no penalty.

(3) A person or entity that neither pays the penalty nor makes representations in accordance with the notice is deemed to have committed the violation and the Centre shall impose the penalty proposed in the notice.

(4) The Director shall cause notice of any decision made under subsection (2) or the penalty imposed under subsection (3) to be issued and served on the person or entity together with, in the case of a decision made under subsection (2) in respect of a serious violation or very serious violation, notice of the right of appeal under subsection 73.21(1).

More information about the review of AMPs representations can be found online <http://www.fintrac-canafe.gc.ca>