



InfoSight Highlight

New Georgia Garnishment Law

The archived call along with the PowerPoint presentation and handouts from our April 29th Compliance Call on the “New Georgia Garnishment Law” is now available on our website

at http://www.gcu.org/compliance/cc_calls/index.php.

You will need your GCUA User ID and password to access this section of our website. If you don't already have one, you can sign up for one at <https://secure.gcu.org/oss7/signup.php>.

If you have questions, please email us at compliance@gcu.org.

Compliance News

CDD FAQs

Question: In regard to the new Beneficial Owner Certification Form, who has to fill it out and what information will be required?

Answer: According to [CUNA's Compliance Blog](#), under FinCEN's new Customer Due Diligence (CDD) rule credit unions will be required to identify and verify the beneficial owners of business-type accounts. One way to accomplish this is by using the new Beneficial Owner Certification Form (Appendix A of the rule).

This form must be completed by the person opening the new account (**on or after May 11, 2018**) on behalf of a legal entity. It must be a natural person authorized to open the account – it cannot be the entity itself.

Legal entities include:

- corporations,
- limited liability companies,
- other entities that are created by filing a public document with a Secretary of State or similar office, and
- general partnerships or any similar business entities formed in the United States or a foreign country.

This requirement will **not** apply to:



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Compliance eNEWSLETTER

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Credit Union National Association

Compliance Video

Compliance Connection Video

In this video, League InfoSight CEO Glory LeDu talks about the highlights from the 4th Quarter of 2018 and the 1st Quarter of 2019.

When S.2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, passed in 2018 there was a lot to understand! Glory LeDu, League InfoSight CEO, provides Part 1 in this short video to break it down for you.

Just a reminder that Compliance videos since 2016 can be found on YouTube at the Compliance Connection channel, where they are generally updated quarterly.

Compliance Calendar

- sole proprietorships,
- unincorporated associations (Scout Troops and youth sports leagues), or
- natural persons opening accounts on their own behalf.

This form requires the person opening the account to provide their name and title, as well as the name, address, date of birth and identification number for the "beneficial owners" of the entity.

Beneficial owners are described in the rule as persons who meet the following "ownership" and/or "control" criteria:

Ownership: Each individual, if any, who owns, directly or indirectly, 25 percent or more of the equity interests of the legal entity (ie: each natural person that owns 25 percent or more of the shares of a corporation); **and/or**

Control: An individual with significant responsibility for managing the legal entity, such as an executive officer, senior manager or other individual who regularly performs similar functions.

The number of individuals that satisfy this definition of "beneficial owner" may vary from one to five depending on the factual circumstances, and the same person may meet the criteria for both ownership and control.

Question: How should the certification form be filled out if there isn't anyone who meets the 25% ownership threshold?

Answer: The certification form can be filled out without a beneficial owner that meets the ownership criteria, but there must be at least one beneficial owner who meets the control criteria - CEO, CFO, VP or other member of the senior management team or a person that regularly performs similar functions. Additionally, the credit union is permitted (encouraged if the entity is considered higher-risk) to require a lower ownership threshold.

For more information: [CUNA's CDD Compliance Chart \(May 2016 Amendments\)](#) provides the foundation for complying with the new customer due diligence requirements for beneficial owners and credit unions' anti-money laundering compliance programs. The [10 FAQs for the New CDD Rule – Beyond the Basics](#) compliance resource provides

May 30
Memorial Day - Federal Holiday

June 30
PCI - SSL/TLS can no longer be used as a Security Control after this date

Child Support Data Match Reimbursement Deadline

July 4
Independence Day - Federal Holiday

July 22
5300 Call Report Due to NCUA

[Click here for upcoming compliance dates.](#)

Compliance Training

May 17, 2016
[Wire Transfer Compliance, Including International Remittances](#) – Webinar
3:00 – 4:30 p.m. EST

May 24, 2016
[Understanding & Managing the CFPB Complaint Process](#) – Webinar
3:00 – 4:30 p.m. EST

May 25, 2016
[Developing Quality & Efficiency in Your IT Audit](#) – Webinar
3:00 – 4:30 p.m. EST

June 2, 2016
[Best Practices for Member](#)

answers to additional questions, such as how the new requirements will impact IOLTA accounts, OFAC compliance, privacy and more.

Are Reg B Changes on the Horizon?

Question: Whatever happened to the Consumer Financial Protection Bureau's (CFPB) rulemaking on women- and minority-owned business data collection under Regulation B? Have we missed something?

Answer: You haven't missed a thing. In 2010, Section 1071 of the Dodd-Frank Act amended the Equal Credit Opportunity Act to require that financial institutions collect and report information concerning credit applications made by women- or minority-owned businesses and by small businesses. However, Section 1071 does not go into effect until the CFPB issues implementing regulations – and that hasn't happened yet.

The CFPB's fall 2015 rulemaking agenda stated that the agency was beginning work on this project, building off of the recent Reg C (HMDA) changes. According to the CFPB press release, the first stage of the rulemaking process will focus on outreach and research. Then the agency plans to begin developing proposed rules concerning the data to be collected and appropriate procedures, information safeguards, and privacy protections for information-gathering.

Stay tuned! We'll provide more details as we receive them.

Your CU Should Know...

Bureau Adds TILA-Annotated TRID Disclosures: The CFPB has added to its offering of blank model disclosure forms for compliance with the TILA-RESPA Integrated Disclosure (TRID) rule a Loan Estimate and a Closing Disclosure, each annotated with citations to the disclosure provisions in the Truth in Lending Act that are referenced in

Business Lending - Webinar
3:00 – 4:30 p.m. EST

June 7, 2016
Hiring in the Digital Age: What Every HR Manager Needs to Know About Social Media – Webinar
3:00 - 4:30 p.m. EST

June 8, 2016
Federal Government ACH Payments, Reclamations & Garnishments - Webinar
3:00 – 4:30 p.m. EST

June 9, 2016
FFIEC Cyber Security Risk Assessments: Recent Findings & Recommended Actions - Webinar
3:00 – 4:30 p.m. EST

June 10 – 17, 2016
Southeast CUNA Management School
Athens, GA

June 14, 2016
Comparing Regulation E Requirements with Visa & MasterCard Rules - Webinar
3:00 – 4:30 p.m. EST

June 16, 2016
ACH Rules for Deceased Accountholders & Federal Government Payments - Webinar
3:00 – 4:30 p.m. EST

June 21, 2016
The Growing Scope of Vendor Management: Business Continuity, Cyber Security, Contract Negotiation & More -

the TRID final rule. The additions can be found on the [implementation webpage](#) for the rule.

FTC FCRA Compliance Guidance for Background Screening: The Federal Trade Commission has created and posted on its website [new guidance](#) giving employment background screening companies information on how to comply with the Fair Credit Reporting Act (FCRA). The guidance helps companies understand when their work defines them as a consumer reporting agency under the FCRA. Consumer reporting agencies must meet a number of obligations outlined in the FCRA, including investigating consumer disputes and correcting inaccurate information. The guidance also outlines the requirements that employment background screening companies face under FCRA, including their requirements in dealing with their clients and how they interact with consumers.

OCC Adds Student Lending Booklet to Handbook: While not a credit union regulator, this may still be helpful to credit unions...The OCC's [Bulletin 2016-15](#) announces the addition of the “[Student Lending](#)” booklet to the *Comptroller's Handbook*. The new booklet was prepared for use by OCC examiners in connection with their examination and supervision of national banks and federal savings associations engaged in private student lending. Private student loans are consumer loans offered to borrowers to fund undergraduate, graduate, and other forms of post-secondary education. The booklet addresses the risks in private student lending by banks and in regulatory expectations for safe and sound operations.

Treasury Online Marketplace Lending White Paper: The Treasury Department has issued a white paper, “[Opportunities and Challenges in Online Marketplace Lending](#),” following its review of the industry. The white paper provides an overview of what the Treasury Department heard in response to its Request for Information, and it contains research on and recommendations for the industry. A summary of the white paper is included in Treasury's [press release](#).

Bureau Publishes Fair Lending Report: The CFPB published its fourth Fair Lending Report to Congress [[81 FR 29533](#)] in the *Federal*

Webinar
3:00 – 4:30 p.m. EST

June 22, 2016
[Product Terms Part 1: Modifying Existing Product Terms & Fees, Including Timing, Content & Requirements for Change-in-Term Notices](#) - Webinar
3:00 – 4:30 p.m. EST

June 23, 2016
[Legal Aspects of HELOCs: Disclosures, Advertising, Termination, Credit Line Reduction & More](#) - Webinar
3:00 – 4:30 p.m. EST

June 26 – 29, 2016
[America's Credit Union Conference](#)
Seattle, WA

June 27, 2016
[Developing a Sound Appraisal Management Program](#) - Webinar
3:00 – 4:30 p.m. EST

June 29, 2016
[Understanding FCRA Permissible Purposes in Obtaining Credit Reports](#) - Webinar
3:00 – 4:30 p.m. EST

June 30, 2016
[Compliance Officer Training: Risk Assessments, Monitoring & Testing](#) - Webinar
3:00 – 4:30 p.m. EST

July 7, 2016
[Your Borrower Has Died: Actions to Take, Mistakes to](#)

Register, describing the Bureau's fair lending activities in prioritization, supervision, enforcement, rulemaking, research, interagency coordination, and outreach for calendar year 2015.

CFPB Launches Spanish Facebook and Twitter Accounts: The CFPB has announced the launch of its official Spanish-language Twitter and Facebook accounts.

Comment Calls

NCUA Occupancy Rule

The NCUA Board has issued a proposed rule that would amend the agency regulations governing a federal credit union's (FCU) requirements for occupancy, planning, and disposal of acquired and abandoned premises. The proposal eliminates a requirement in the current occupancy rule that an FCU must plan for, and eventually achieve, full occupancy of acquired premises. Instead, it allows for a credit union to achieve partial occupancy with an at least fifty percent use of premises by an FCU and partial occupancy can be maintained without plan for full occupancy.

GCUA would like to know your thoughts and/or concerns with this proposal. Please email Selina Gambrell at selinag@gcua.org by **June 17**

The CUNA Advocacy Update keeps you on top of the most important changes in Washington for credit unions--and what CUNA is doing to monitor, analyze, and influence government agencies and federal law. You can view the current report and past reports from the archive.

Click here to request to be added to the mailing list for this and/or other GCUA email publications.

Bookmark InfoSight

No need to go through the Georgia Credit Union Affiliate's home page to access InfoSight. Simply add the following link to your bookmarks: <http://ga.leagueinfosight.com/>.

Need a BSA, ACH or Website review?

Email compliance@gcua.org.

Avoid

3:00 – 4:30 p.m. EST

July 10-13, 2016

Southeast Regional Directors' Conference

Pinehurst, NC

July 12, 2016

Board Oversight &

Responsibility for ACH Risk - Webinar

3:00 – 4:30 p.m. EST

BSA Training Opportunities through GCUA

[Click here for details](#)