

2022-02-22

DECISION

ClearOn AB
107 82 Stockholm

FI dnr 20-21809

Summary

ClearOn AB (ClearOn or the company) is a payment institution that has authorisation to provide payment services pursuant to the Payment Services Act (2010:751).

Finansinspektionen has investigated ClearOn's compliance with the Money Laundering and Terrorist Financing Prevention Act (2017:630) (the Act) with regard to the rules on risk assessment, risk assessment of customers, procedures and guidelines for customer due diligence, and customer due diligence measures.

Finansinspektionen's investigation shows that there have been deficiencies in all reviewed areas. Consequently, it has been determined that ClearOn's general risk assessment has not been designed in the manner required by the regulations, that the company has not adequately assessed the risk of its customers, and that the company in general has not assessed the risk of its private clients. The investigation also shows that ClearOn has notably violated several of the basic requirements in the Act regarding customer due diligence. Several of these violations are due to ClearOn having had business relationships with significantly more customers than it was aware of. The investigation also shows that in some areas ClearOn has not had any procedures and guidelines required by the Act, and the procedures and guidelines that did exist were deficient in multiple respects.

The violations have entailed a clear risk that it has been possible to use ClearOn, and thus the financial system, for money laundering and terrorist financing. According to Finansinspektionen, there are grounds on which to take a strict view on this type of violation. Given this background and that the violations have been ongoing for a relatively long period of time and are judged to be systematic, the violations are viewed to be severe.

Because the violations are severe, there are grounds for Finansinspektionen to consider whether to withdraw ClearOn's authorisation to provide payment services. ClearOn, however, has implemented, and continues to implement, extensive measures to address the deficiencies. The company demonstrated during the investigation a clear willingness to follow the regulations in the future, and the company is also judged to have the ability to implement the measures that are planned. Finansinspektionen therefore considers that the expectation that ClearOn will address the deficiencies and in the future comply with the regulation is strong enough to be sufficient to issue the company a warning accompanied with an administrative fine of SEK 14 000 000.