



**Themis Guidance:  
Section 18 Responses  
September 2023**



**Isle of Man  
Financial Intelligence Unit**  
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# Themis Guidance: Section 18 Responses

## Introduction

In April 2021, the FIU moved the receipt of Section 18 responses into Themis. This was intended to reduce the transmission of sensitive information via email and to improve FIU operational workflow between Intelligence Analysts. Following review of the process, it was identified that, whilst this was an improvement on the receipt of email responses, further changes could be implemented to enhance the process both for responding MLROs and for FIU staff. The current response process requires MLROs to submit a new disclosure to respond. Whilst a legislation option was added to the Themis system to flag such responses, it is not always straightforward to link the response back to the original request. Furthermore, the current process creates conflicts or additional work for those MLROs also wishing to make a POCA or S24 disclosure following the collation of the response.

In response to the identified issues with the current process, a Themis upgrade is being released in September 2023 that will allow MLROs to respond to a Section 18 Notice directly, in a similar manner to adding further information to an existing record. It is hoped this will make responding simpler and allow FIU Staff to quickly identify and process received responses. Additionally, these changes will help improve statistical reporting of SAR data, as currently Section 18 responses are counted as part of SAR totals due to them being submitted in the same manner as a new disclosure.

This guidance document aims to serve as a guide to this new process to support the implementation of the September 2023 Themis upgrade.

## Background - Section 18 Requests

Under Section 18 of the Financial Intelligence Unit Act 2016, the FIU has the power to gather additional information providing the following criteria are met:

- The FIU has received information from an initial provider.
- The FIU reasonably considers that, for the proper fulfilment of any of its functions, it is necessary or expedient to seek additional information.

Under Section 18, information can be sought from:

- The initial provider.
- A person mentioned or identifiable from the information received.
- A person that, to the reasonable knowledge or belief of the FIU, holds information that is relevant to the analysis of the information received.

Upon receipt of a request under Section 18, the recipient **MUST** provide the requested information to the FIU by the specified date. This is two weeks as standard practice, but may be shorter depending on operational need. Where a shorter response period is requested, the FIU will endeavour to make contact and indicate this to the recipient.

**Failure to respond to a request made under Section 18 or the provision of information known to be false is an offence under the Financial Intelligence Unit Act 2016.**

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## Receipt and Response to a Section 18 Request

### Receiving and Accessing a Section 18 Notice

Upon receipt of a Section 18 notice within the Themis system, you should receive an email to your registered email address to draw your attention to the existence of the request.



Caution: This email is from an external sender. Please take care before opening any attachments or following any links.

Section 18 Notice has been issued by the Financial Intelligence Unit for the attention of:  
[REDACTED]

The FIU Reference is [REDACTED] and the letter reference is [REDACTED]

Please do not reply to this message, which has been sent from an unattended mailbox. If you have questions please contact via [fiu@gov.im](mailto:fiu@gov.im) or you may also call us at +44 (0) 1624 686000.

Upon receipt of an email like the one pictured above, you should log into the Themis Reporting System to view and respond to the notice. If you have any problems accessing your account or require a password reset, contact the FIU, who will be able to assist.

The received request will appear on your Themis homepage under "Unread Requests & Notices".

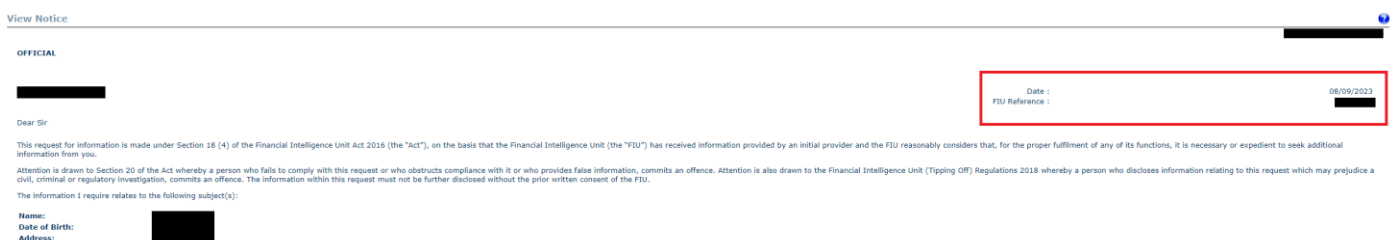
Date Raised	Subject	FIU Reference	Letter Reference	Letter Type	
8th Sep 2023	[REDACTED]	[REDACTED]	[REDACTED]	Section 18 Notice	<a href="#">View</a>

To access and view the request, select "View".

Date Raised	Subject	FIU Reference	Letter Reference	Letter Type	
8th Sep 2023	[REDACTED]	[REDACTED]	[REDACTED]	Section 18 Notice	<a href="#">View</a>

### Section 18 Notices

This will open the Section 18 notice. In the top right of the notice you will find the date of the request and the FIU reference. This reference is should be provided to the FIU if you need assistance or have a query in relation to the notice.



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The subjects of the notice can also be found at the top of the notice. This is followed by the main body of the notice, which will detail what information the FIU is requesting.

View Notice

OFFICIAL

Date: 08/09/2023  
FIU Reference: [REDACTED]

Dear Sir

This request for information is made under Section 18 (4) of the Financial Intelligence Unit Act 2016 (the "Act"), on the basis that the Financial Intelligence Unit (the "FIU") has received information provided by an initial provider and the FIU reasonably considers that, for the proper fulfillment of any of its functions, it is necessary or expedient to seek additional information from you.

Attention is drawn to Section 20 of the Act whereby a person who fails to comply with this request or who obstructs compliance with it or who provides false information, commits an offence. Attention is also drawn to the Financial Intelligence Unit (Tipping Off) Regulations 2018 whereby a person who discloses information relating to this request which may prejudice a civil, criminal or regulatory investigation, commits an offence. The information within this request must not be further disclosed without the prior written consent of the FIU.

The information I require relates to the following subject(s):

Name: [REDACTED]  
Date of Birth: [REDACTED]  
Address: [REDACTED]

The footer of the notice provides the name of the authorising officer as well as the date the request was authorised. The name of the requesting officer within the FIU can be found in this section along with the date by which a response has been requested by.

This information should be supplied to:  
Name: [REDACTED] via the Themis reporting portal.

Request made under Section 18(4) of the FIU Act 2016

All information is processed in accordance with the Data Protection Act 2018 or the GDPR and LED Implementing Regulations 2018. The Financial Intelligence Unit is a "Data Controller" under these regulations. For more information on how we process personal data our Privacy Notice can be found on our website - [www.fiu.im](http://www.fiu.im)

I confirm that the information required meets the criteria for making such a request under Section 19 of the Act and that the information requested is required by the FIU for the purposes of its statutory functions and is necessary for and proportionate to the performance of those functions.

On Behalf of FIU  
[REDACTED]  
FIU Administrator  
Authorised by: [REDACTED]  
Authorised: 8th Sep 2023

## Responding to a Section 18 Notice

To respond to the notice, select "Respond" at the bottom of the page.

Delete Exit & Mark as Read Print **Respond** Create Disclosure Report

**Note:** This is different to the previous process, where "Create Disclosure Report" was used.

This will take you to the response page, where you can enter a response to the FIU in the text box at the top of the page.

Add Notice Response

Section Response

Response Details

Attached Documents

There are no documents attached to this response.

Previous Responses

This letter does not have any responses

Exit Upload Documents or Images Submit to FIU

To add a document or other attachment, select "Upload Documents or Images" using the button at the bottom of the page.

# Themis Guidance: Section 18 Responses

## Add Notice Response

Section Response

Response Details

Attached Documents

Format	Source Organisation	Uploaded By	Added
There are no documents attached to this response.			

Previous Responses

Source Organisation	Uploaded By	Added
This letter does not have any responses		

Exit **Upload Documents or Images** Submit to FIU

This will take you to a separate page where attachments can be uploaded using the yellow upload button.


## Home Page

23 09 420 - Smith, John Bank of Mum and Dad

Uploaded Documents or Images

Name	Format	Added Time
No records have been found which match your search criteria		

A maximum of 20 attachments (documents of multiple pages), with a total size of no more than 38MB, can be attached to this disclosure before it is submitted to the FIU. If you need to submit more than 20 attachments please save your response and then add further attachments after doing so.

 Upload Documents or Images

Delete All and Exit Save

Once you have selected and uploaded the desired attachment(s), click "Save" to save your progress and return to the response page.


## Home Page

23 09 420 - Smith, John Bank of Mum and Dad

Uploaded Documents or Images

Name	Format	Added Time
No records have been found which match your search criteria		

A maximum of 20 attachments (documents of multiple pages), with a total size of no more than 38MB, can be attached to this disclosure before it is submitted to the FIU. If you need to submit more than 20 attachments please save your response and then add further attachments after doing so.

 Upload Documents or Images

Delete All and Exit **Save**

Up to 20 attachments can be added to a response at once. To add more than 20, add the first 20, select save, and then repeat the upload process until all the required documents are attached.

Uploaded documents/ attachments can be viewed in the "Attached Documents" section of the response page.

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**Add Notice Response** ?

Section Response

Response Details

**Attached Documents**

Navigation: |< < > >|

Format	Source Organisation	Uploaded By	Added
There are no documents attached to this response.			

Navigation: |< < > >|

5 10 15 25 50

**Previous Responses**

Navigation: |< < > >|

Source Organisation	Uploaded By	Added
This letter does not have any responses		

Navigation: |< < > >|

5 10 15 25 50

[Exit](#) | [Upload Documents or Images](#) | [Submit to FIU](#)

When your response is complete, select "Submit to FIU" at the bottom of the page to submit your response to the FIU.

[Exit](#) | [Upload Documents or Images](#) | [Submit to FIU](#)

## Submitting Multiple Responses to a Section 18 Notice

Should you need to make multiple responses to a Section 18 notice, this can be done in the same manner for each response. A record of any previously submitted responses to the current notice is displayed at the bottom of the response page.

**Add Notice Response** ?

Section Response

Response Details

**Attached Documents**

Navigation: |< < > >|

Format	Source Organisation	Uploaded By	Added
There are no documents attached to this response.			

Navigation: |< < > >|

5 10 15 25 50

**Previous Responses**

Navigation: |< < > >|

Source Organisation	Uploaded By	Added
This letter does not have any responses		

Navigation: |< < > >|

5 10 15 25 50

[Exit](#) | [Upload Documents or Images](#) | [Submit to FIU](#)

## Viewing all Received Notices within Themis

Received notices, including those to which you have responded, can be viewed using the "Requests & Notices" tab within Themis.

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This page displays a list of received requests and notices and allows them to be viewed. Completed requests can be archived from this page to allow easier navigation.

Requests & Notices

Search

Subject Name

FIU Reference

Type < ----- Any ----- >

Letter Reference

Date Raised Between (Inclusive)  and

Read or Unread Read and UnRead

Include Archived Reports No

Clear Search

Results

Tag	Date Raised	Subject	FIU Reference	Letter Reference	Letter Type	Archived	Read/Unread	
<input type="checkbox"/>	8th Sep 2023				Section 18 Notice	No	Read	View

Archive Tagged Notices Unarchive Tagged Notices Delete Tagged Notices

## Disclosures Originating from the Receipt of a Request

The FIU understands that the receipt of a Section 18 notice can serve as a trigger, or 'red flag' event, causing a review of the relevant client relationship(s) and client(s) conduct and may lead to the development of a suspicion in relation to the subject(s) of the request.

Should, during the process of receiving and actioning the notice, or following a subsequent review, you develop an **independent suspicion**, a disclosure should be made to the FIU under POCA/ATCA as appropriate. The receipt of a notice alone with no further development of an independent suspicion should not form the basis of a POCA/ATCA disclosure (sometimes referred to as "Defensive Reporting").

Should you identify further information that falls outside of the scope of the request that you believe would be useful to the FIU in carrying out its functions, you may submit this information as a disclosure under Section 24.

Even if you intend to submit a disclosure in relation to the subject(s) of the notice, the FIU asks that a response is still provided following the process above. This will allow the FIU to record the response and will assist the FIU in processing the provided information.

## Contact Details and Further Information

If you have any queries in relation to Section 18 notices or require assistance, the FIU can be contacted via email to [fiu@gov.im](mailto:fiu@gov.im) or via telephone on +44 1624 686000.

# Themis Guidance: Section 18 Responses

The Financial Intelligence Unit Act 2016 can be accessed at:

[https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2016/2016-0005/FinancialIntelligenceUnitAct2016\\_1.pdf](https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2016/2016-0005/FinancialIntelligenceUnitAct2016_1.pdf)

Further information on the Submission of SARs to the FIU can be found in the below documents:

SAR Guidance Document - <https://www.fiu.im/media/1089/sar-guidance-june-2020.pdf>

SAR Good Practice Document - <https://www.fiu.im/media/1096/sar-good-practice.pdf>