

FINTRAC: New guidance on filing suspicious transaction reports “as soon as practicable”

May 07, 2020

The Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) recently provided guidance on how the regulator will interpret the amendment to file suspicious transaction reports (STRs) “as soon as practicable”. **The new threshold will trigger a need for more STR filings and doing so on a more expedited path, failing which reporting entities may find need to justify their delay or face penalties for non-compliance.**

This new FINTRAC guidance comes into force on June 1, 2020, as part of the significant changes that were made to Canada’s anti-money laundering rules last year. For an overview of the changes introduced last year, please see BLG’s article [“Financial institution regulation - 2019 year in review”](#).

The Regulations Amending Certain Regulations Made Under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, 2019 (Amending Regulations) has changed the timing of filing STRs from within 30 days after the day of detection, to the **new requirement that STRs are to be sent to FINTRAC “as soon as practicable after [the reporting entity has] taken measures that enable them to establish that there are reasonable grounds to suspect that the transaction or attempted transaction is related to the commission of a money laundering offence or a terrorist activity financing offence”**.

These measures will now include:

1. screening for and identifying suspicious transactions;
2. [assessing the facts](#) and [context surrounding the suspicious transaction](#);
3. linking [money laundering/terrorist financing indicators](#) to the reporting entity’s (RE) assessment of the facts and context; and
4. **explaining the RE’s grounds for suspicion in an STR, where the RE articulates the facts, context, and money laundering/terrorist financing indicators that allowed the RE to reach their grounds for suspicion.**

After completing such measures and the RE has reasonable grounds to suspect a suspicious transaction has occurred, the RE must submit an STR to FINTRAC “as soon as practicable”. FINTRAC expects “as soon as practicable” to mean that the RE has completed the measures that allowed the RE to determine that they have reached the

“reasonable grounds to suspect” threshold, at which point completing and submitting the STR must be treated as a priority.

FINTRAC’s new guidance on reporting STRs, which comes into force on June 1, 2020, can be found online.

In addition, FINTRAC has updated its existing guidance on STRs, which comes into force on June 1, 2020, and includes further details on the reasonable grounds to suspect threshold, in contrast to the higher threshold of reasonable grounds to believe. The updated FINTRAC guidance on what constitutes an STR can be found online, which also comes into force on June 1, 2020.

By

[Ross McGowan](#), [Cindy Y. Zhang](#), [Jason Uswak](#)

Expertise

[Banking Litigation](#), [Fraud](#), [Financial Services](#), [Financial Services Regulatory](#)

BLG | Canada’s Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription

preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2025 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.