



**CABINET OF MINISTERS OF UKRAINE
AND NATIONAL BANK OF UKRAINE**

RESOLUTION

of August 5, 2020 No. 690

KYIV

On approving the Procedure for collecting, processing and analyzing information on the results of activities of financial monitoring entities, other state authorities involved in the system of preventing and counteracting to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction, endorsing and publishing the results of the national risk assessment and adopting measures based on its results

According to part 4 of Article 28 of the Law of Ukraine «On preventing and counteracting to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction» the Cabinet of Ministers of Ukraine and the National Bank of Ukraine **resolve**:

1. To approve the Procedure for collecting, processing and analyzing information on the results of activities of financial monitoring entities, other state authorities involved in the system of preventing and counteracting to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction, endorsing and publishing the results of the national risk assessment and adopting measures based on its results, attached.

2. Ministries, other central executive authorities engaged in activities in the area of preventing and counteracting to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction shall submit to the State Financial Monitoring Service of Ukraine the necessary information for conducting national risk assessment pursuant to the Procedure, approved by this Resolution.

3. To declare that the Resolution of the Cabinet of Ministers of Ukraine and the National Bank of Ukraine “On approval the Procedure for conducting the national risk assessment in the area of preventing and counteracting to legalization (laundering) of the proceeds from crime and financing of terrorism and publishing its results” of September 16, 2015, No. 717 (Official Journal of Ukraine, 2015, No. 76, Art. 2519) has been repealed.

**Prime Minister of Ukraine
D. SHMYHAL**

**Head of the
National Bank of Ukraine
K. SCHEVCHENKO**

APPROVED
by the Resolution of the Cabinet of
Ministers of Ukraine and the
National Bank of Ukraine of August
5, 2020, No. 690

PROCEDURE

for collecting, processing and analyzing information on the results of activities of financial monitoring entities, other state authorities involved in the system of preventing and counteracting to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction, endorsing and publishing the results of the national risk assessment and adopting measures based on its results

1. This Procedure determines the mechanism of collecting, processing and analyzing of information on the results of activities of financial monitoring entities, other state authorities involved in the system of preventing and counteracting to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction (hereinafter – the AML/CFT), the procedure for conducting the national risk assessment, approving and publishing the results of the national risk assessment and adopting measures based on its results.

2. In this Procedure the terms are used in the meaning given in the Laws of Ukraine «On preventing and counteracting of legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction» and «On state statistics».

3. The purpose of conducting the national risk assessment is to identify (detect) risks (threats) of legalization (laundering) of the proceeds from crime, and financing of terrorism, analysis thereof, assessment and development of measures aimed at preventing arising and/or reducing negative consequences of risks.

4. Participants of the national risk assessment are: the SFMS, other state authorities carrying out activities in the AML/CFT area, with the involvement (if necessary) of interested public organizations and scientific institutions.

5. The SFMS is responsible for conducting the national risk assessment.

6. The national risk assessment is carried out systematically, but at least once every three years.

The last year of the reporting period is the year of conducting the national risk assessment.

7. The national risk assessment covers the system of preventing and counteracting to legalization (laundering) of the proceeds from crime, and financing of terrorism, in particular the activities of the SFMS, law enforcement and judicial

authorities, supervisory activities of state financial monitoring entities, financial sector and independent professional activities.

8. The sources of information required for conducting the national risk assessment are, in particular, statistics and complex administrative reporting in the AML/CFT area, the results of sectoral risk assessments of state financial monitoring entities, analytical reviews and statements of the national risk assessment participants, responses of the national risk assessment participants to the questionnaires of the SFMS, the results of selective analysis of court decisions in criminal cases, the results of scientific researches, the results of public opinion survey, as well as the European Commission's reports identifying, analyzing and assessing the risks of money laundering and/or financing of terrorism at EU level and the European Commission's recommendations on measures eligible to address the risks identified.

The exchange of information during the national risk assessment is carried out in compliance with the requirements for the protection of information belonging to the category of information restricted.

Participants of the national risk assessment shall ensure the protection of the restricted information required for the national risk assessment in accordance with law.

An access of third parties to the information provided for the national risk assessment is carried out in the cases provided for by law.

9. The national risk assessment is conducted in accordance with the Methodology of national risk assessment on money laundering and terrorist financing in Ukraine (hereinafter – the Methodology), prepared by the SFMS, agreed with the Ministry of Finance and approved by the AML/CFT Council during its regular meeting.

The national risk assessment is carried out taking into account, in particular, the requirements of the recommendations and documents of the Financial Action Task Force (FATF), the provisions of the reports and recommendations on the risk assessment of money laundering or financing of terrorism of European Commission, other international analytical reviews, the reports and recommendations on the issues related to conducting the national risk assessment.

10. Each participant of the national risk assessment determines the person at the level of the deputy head of the authority (or the head of an independent structural unit), responsible for interaction with the SFMS on the issues of conducting the national risk assessment (hereinafter - the responsible person).

11. In order to facilitate coordination of the national risk assessment participants, determining an indicative plan for conducting the national risk assessment, the extent (level, degree) of involvement of each participant in the national risk assessment, the list of information required to assess the risks of using non-profit organizations to legalize (launder) the proceeds from crime and finance terrorism, and resolving problematic issues that arise during the national risk assessment, a

temporary advisory body of the Cabinet of Ministers of Ukraine – the AML/CFT Council (hereinafter – the Council) has the right to form a working group on the national risk assessment (hereinafter – the working group), which includes responsible persons.

12. Participants of the national risk assessment ensure the submission to the SFMS by April 30 of the last year of the reporting period of information on measures taken to prevent arising and/or reducing negative consequences of risks identified during the preliminary national risk assessment.

13. State financial monitoring entities ensure conducting sectoral risk assessments of reporting entities in the manner prescribed by the Methodology for the period covered by the national risk assessment, and inform the SFMS of the results by June 30 of the last year of the reporting period.

14. The State Fiscal Service and the Security Service of Ukraine ensure collecting and submitting to the SFMS by June 30 of the last year of the reporting period information necessary to assess the risks of using non-profit organizations to legalize (launder) the proceeds from crime and finance terrorism for the period, covered by the national risk assessment.

15. The SFMS, by November 30 of the last year of the reporting period, analyzes, compiles, unifies the information submitted by the participants of the national risk assessment and prepares a report on its implementation.

16. The SFMS prepares proposals for approval of the report on the national risk assessment (hereinafter - the report) and by December 10 of the last year of the reporting period submits them together with the report to the Ministry of Finance for approval.

The Ministry of Finance, by December 20 of the last year of the reporting period, informs the SFMS of its position on the report by sending a letter and, in the absence of comments, the draft report endorsed by the Minister of Finance.

17. Depending on what information is contained in the report, an access to it may be fully or partially restricted.

In this case, the version of the report for publication should contain a brief overview and/or conclusions drawn from the analysis of the relevant information restricted.

18. The report is approved by the Council during its regular meeting.

19. Within a month after the approval of the report during the Council meeting, the SFMS ensures that the results of the national risk assessment are communicated to the participants of the AML/CFT system and the public by publishing the report on the official website of the SFMS in the section “National Risk Assessment”.

20. Based on the results of the national risk assessment, the SFMS, by June 30 of the year following the last year of the reporting period, prepares and submits to the Cabinet of Ministers of Ukraine compiled proposals of the national risk

assessment participants on taking measures aimed to prevent arising and/or reducing negative consequences of the risks identified.