



CABINET OF MINISTERS OF UKRAINE

RESOLUTION

of September 2, 2020 No. 777

Kyiv

On approving the Procedure for organization and coordination of work on retraining and advanced training of financial monitoring specialists

According to Article 25 (2) (14) of the Law of Ukraine «On Preventing and Counteracting to the 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 **resolves**:

1. To approve the Procedure for organization and coordination of work on retraining and advanced training of financial monitoring specialists attached.

2. To declare that the Resolution of the Cabinet of Ministers of Ukraine “On approval of the Procedure for organization and coordination of work on retraining and advanced training of financial monitoring specialists of August 19, 2015, No. 610 (Official Journal of Ukraine, 2015, No. 69, Art. 2270) has been repealed.

Prime Minister of Ukraine

D. SHMYHAL

Ind. 67

APPROVED
by the Cabinet of Ministers of Ukraine
Resolution of September 2, 2020 No. 777

PROCEDURE

for organization and coordination of work on retraining and advanced training of financial monitoring specialists

1. The Procedure determines the mechanism for ensuring by the SFMS the organization and coordination of work on retraining and advanced training of financial monitoring specialists 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, namely:

compliant officers of reporting entities (hereinafter - compliant officers);
employees involved in conducting financial monitoring;
specialists of state authorities.

2. In this Procedure, the terms are used in the meaning given in 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».

3. Retraining and advanced training (training) of compliant officers and employees involved in conducting financial monitoring is carried out by:

the academy belonging to the sphere of management of the SFMS (hereinafter - the Academy);

the state educational and scientific institution “Academy of Financial Management”;

other educational institutions (hereinafter – the educational institutions), which are included in the list of institutions engaged in retraining and advanced training 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 which is formed by the SFMS (hereinafter – the list).

4. Retraining and advanced training of state authorities’ specialist 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 is carried out within the framework of the state order at the expense of the state budget on the basis of the academy under educational programs developed

in accordance with the legislation, approved by the academy and agreed with the SFMS.

5. State authorities' specialists undergo retraining and advanced training 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, taking into account the state authorities' needs.

6. Compliant officers and officers involved in conducting financial monitoring undergo retraining and advanced training (training) under educational programs developed in accordance with the legislation, approved by educational institutions and agreed with the relevant state financial monitoring entities and the SFMS.

These educational programs should contain, in particular, the following sections:

international standards 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;

national legislation 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;

management of legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction risks;

identifying the ultimate beneficial owner of the customer or his absence;

typological researches 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;

responsibility for violation of the requirements of the legislation 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;

practical aspects of the organization of financial monitoring.

Educational programs are published on the official websites of the SFMS and relevant state financial monitoring entities.

7. The educational institution submits the following documents to the SFMS to be included in the list:

application drawn up in any form;

information about the educational institution (name of the educational institution, its location, contact telephone numbers, form of ownership, forms and specialties under which the training is carried out, material and technical base of the educational institution, e-mail address and postal address, official website);

copy and/or data on the relevant license for educational activities in the area of postgraduate education for persons with higher education (in the field of financial monitoring);

list (enumeration) of pedagogical, scientific and pedagogical, scientific employees, civil servants and other specialists involved in educational activities, with indication the name of the position, scientific degree and academic name (if any), place of work and documents which confirm the availability of the relevant qualifications, in particular experience of scientific and pedagogical or practical 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, which is not less than five years;

educational program for retraining and advanced training (training) 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.

The rights and obligations of the educational institution included in the list are determined by the agreement which is concluded between the educational institution and the SFMS.

8. The list of educational institutions is published on the official websites of the SFMS and the relevant state financial monitoring entities.

9. Retraining and advanced training (training) of compliant officers and officers involved in conducting financial monitoring is carried out in the following stages:

mastering the course under the educational program;

passing the exam (exercising final control of knowledge).

10. The exam (exercising final control of knowledge) is conducted by the examination commission on the basis of the examination center, which can be the academy or the state educational and scientific institution “Academy of Financial Management”.

Tasks for the exam (exercising final control of knowledge) of compliant officers, as well as officers involved in conducting financial monitoring, including test questions (with the correct answer), control questions for interviews, etc., are developed by examination centers and agreed by the SFMS, the Ministry of Finance of Ukraine and the relevant state financial monitoring entities.

The procedure for conducting the exam (exercising final control of knowledge) is developed and approved by every examination center independently in agreement with the SFMS and the Ministry of Finance of Ukraine.

The composition of the examination commission is approved by the order of the head of the examination center in agreement with the relevant state financial monitoring entities and the SFMS.

The commission consists of representatives of the SFMS, the Ministry of Finance of Ukraine, the examination center, on the basis of which the exam is conducted (exercising final control of knowledge), and the relevant state financial monitoring entity (in agreement).

Passing the exam (exercising final control of knowledge) by compliant officers and officers involved in conducting financial monitoring, who have mastered the course in educational institutions included in the list, is carried out in the presence of the agreement concluded between the educational institution and the SFMS.