



CABINET OF MINISTERS OF UKRAINE

RESOLUTION

of October 21, 2020 No. 968

Kyiv

On approving the Procedure for providing information on a customer by state authorities, state registrars at the request of a reporting entity

Pursuant to part 5 of Article 11 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 **resolves:**

1. To approve the Procedure for providing information on a customer by state authorities, state registrars at the request of a reporting entity.

2. To declare as repealed:

the Resolution of the Cabinet of Ministers of Ukraine as of September 8, 2015 No. 693 “On approving the Procedure for providing information on a customer by state authorities, state registrars at the request of a reporting entity” (Official Journal of Ukraine, 2015 No. 74, Art. 2442);

the paragraph 3 of amendments to the Resolutions of the Cabinet of Ministers of Ukraine approved by the Resolution of the Cabinet of Ministers of Ukraine as of May 10, 2018 No. 343 (Official Journal of Ukraine, 2018, No. 40, Art. 1408).

**Prime Minister of
Ukraine**

D. SHMYHAL

Ind. 67

APPROVED

**by the Cabinet of Ministers of Ukraine
Resolution of October 21, 2020 No. 968**

PROCEDURE

for providing information on a customer by state authorities, state registrars at the request of a reporting entity

1. This Procedure defines the mechanism for providing by state authorities, state registrars at the request of a reporting entity of information CDD (hereinafter – the information on a customer), in case of impossibility to receive information from publicly available state electronic registers free of charge.

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. The request to provide the necessary information on a customer (hereinafter - the request) is sent by a reporting entity to the state authority (at the location of such authority) and/or state registrar (regardless of the location of such state registrar) in writing, is signed by the head of a reporting entity or a person who replaces him/her.

A reporting entity conducting its activities individually, without the formation of a legal entity, signs the request directly. The request can also be sent electronically. The format of electronic interaction and the form of providing information are determined by the relevant state authorities.

4. The request shall indicate the grounds for the provision of the information by state authorities, state registrars on a customer and its list, as well as the information that allows to unambiguously identify a customer.

To confirm the information about the status of a reporting entity, state authorities, state registrars apply to the SFMS in electronic and/or paper form.

The SFMS provides the information within two working days from the date of receipt of the application by state authority and/or the state registrar.

5. The reporting entity request may not relate to the provision of advices and clarifications of legal provisions.

6. State authorities, state registrars provide information to a reporting entity on a customer free of charge within 10 working days from the date of receipt of the request.

7. The processing of personal data of a customer, the information with regard to whom is requested by a reporting entity, is carried out by state authorities, state registrars without receiving of customer's consent.

8. Letters of state authorities, state registrars with information provided at the request of a reporting entity shall contain:

number and reference date of the request of a reporting entity to which a response is provided;

information being requested by a reporting entity and belonging to the competence of a state authority or contained in the Unified State Register of Legal Entities, Individuals - Entrepreneurs and Public Formations (for requests to state registrars);

grounds for refusal to provide information on a customer (in case of failure to provide such information).

9. A reporting entity keeps a register of requests to state authorities, state registrars, which shall contain the original details of a request, last name, first name and patronymic (if available) of an individual or the full name of a legal entity requested, the information on which is requested, grounds for sending the request and details of the letter of a state body, state registrar with the information received in response to the request of a reporting entity.

State authorities, state registrars keep records of reporting entities' requests in a separate register in accordance with the procedure established by law, in which the following information on a reporting entity is indicated: last name, first name and patronymic (if available), number (and if available - series) of the passport of a citizen of Ukraine (or other identity document which according to the legislation can be used in the territory of Ukraine for commission of transactions), registration number of the taxpayer's account card or series and passport number (for individuals who, due to their religious beliefs, refuse to accept the registration number of the taxpayer's account card and have officially notified the relevant supervisory authority and have a mark in the passport) and/or full name, location, identification code of a legal entity in the Unified State Register of Enterprises and Organizations of Ukraine, incoming details of the request, outgoing details of the response letter.

10. Reporting entity's request and information provided by state authorities, state registrars in accordance with the requirements of this Procedure is the information with the restricted access, is used exclusively for the purpose and in compliance with 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 and is not subject to transfer to third parties, except as provided by law.

11. A reporting entity shall be liable, in accordance with the law, for violation of the requirements of the legislation on storage of the information on a customer, received from state authorities, state registrars, and for its disclosure.