

**CABINET OF MINISTERS OF UKRAINE
RESOLUTION**

of September 8, 2016 No. 613

Kyiv

**On Establishing the Council for Preventing and Countering
Legalization (Laundering) of Proceeds of Crime, Financing
of Terrorism, and Financing of Proliferation of Weapons of
Mass Destruction**

The Cabinet of Ministers of Ukraine **resolves to:**

1. Establish the Council for Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction with the composition as shown in the annex.
2. Approve the annexed Regulation on the Council for Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction.
3. Declare null and void Resolutions of the Cabinet of Ministers of Ukraine as per the list in the annex.

The Prime Minister of Ukraine

V. HROISMAN

Ind. 34

Annex
to Resolution of the Cabinet of Ministers of
Ukraine of September 8, 2016 No. 613
(as amended by Resolution of the Cabinet of
Ministers of Ukraine of April 28, 2021 No. 422)

COMPOSITION
of the Council for Preventing and Countering Legalization (Laundering) of
Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of
Weapons of Mass Destruction

Head of the SFMS, Head of the Council

First Deputy Head of the SFMS, First Deputy Head of the Council

First Deputy Minister of Finance, Deputy Head of the Council

Director of the Department for Financial Monitoring System Coordination of the SFMS, Secretary of the Council

Representative of the Office of the President of Ukraine (by consent)

Members of Parliament of Ukraine – members of the Verkhovna Rada of Ukraine Committee on Finance, Taxation and Customs Policy, the Verkhovna Rada of Ukraine Committee on Law Enforcement (by consent)

Head of the Apparatus of the National Security and Defence Council of Ukraine (by consent)

Director of the Department of the Secretariat of the Cabinet of Ministers of Ukraine

Deputy Minister for Foreign Affairs

Deputy Minister of Justice

Deputy Minister of Digital Transformation

Commissioner of the NSSMC (by consent)

Director of the Coordination and Monitoring Work Department of the Ministry of Finance

Director of the Financial Monitoring Department of the National Bank (by consent)

Deputy Minister of Internal Affairs

First Deputy Head of the National Police

Deputy Head of the SFS

Deputy Head of the STS

Deputy Head of the State Customs Service

Deputy Head of the State Border Guard Service

Deputy Head of the Foreign Intelligence Service (by consent)

Representative of the Prosecutor General's Office (by consent)

Representative of the SSU (by consent)

Representative of the ARMA

Representative of the State Bureau of Investigations (by consent)

Head of the Information Processing and Analysis Department of the National Anti-Corruption Bureau (by consent)

Head of the Criminal Cassation Court of the Supreme Court (by consent)

Deputy Head of the Supreme Anti-Corruption Court (by consent)

Representative of the SJA

Deputy Head of the State Audit Service

Deputy Head of the National Agency on Corruption Prevention

Representative of the SSECU

APPROVED
by Resolution of the Cabinet of
Ministers of Ukraine of September 8,
2016 No. 613

REGULATION

On the Council for Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction

1. The Council for Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction (hereinafter – the Council) is a temporary consultative and advisory body to the Cabinet of Ministers of Ukraine.

2. In its operation, the Council shall be governed by the Constitution and laws of Ukraine, as well as the President of Ukraine Decrees and the Verkhovna Rada of Ukraine Resolutions adopted under the Constitution and laws of Ukraine, Cabinet of Ministers of Ukraine Resolutions, and this Regulation.

3. The Council shall be established to study issues related to implementation of the state policy on prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction.

4. The main objectives of the Council shall be:

1) to facilitate coordination of activities of executive authorities, other state authorities on taking actions in the area of prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

2) to draft proposals on:

development and implementation of the state policy on prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

identification of ways, mechanism and methods to solve problematic issues that arise during the implementation of state policy on prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

conduction of the national risks assessment of legalization (laundering) of proceeds of crime and financing of terrorism in Ukraine (hereinafter – the national risks assessment) and implementation of measures based on its results;

3) to analyse efficiency of measures related to prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction, the status of respecting constitutional human and citizen rights and freedoms in their course.

5. In accordance with its responsibilities, the Council shall:

1) analyze legislative acts and sources of international law on prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction, and draft relevant proposals on improvement of the legislation;

2) participate in drafting legislative and regulatory acts on implementation of international standards on countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction, specifically Financial Action Task Force (FATF) standards;

2¹) approve the methodology of national risks assessment prepared by the SFMS and agreed with the Ministry of Finance;

2²) approve the report on conducting the national risks assessment prepared by the SFMS and approved by the Ministry of Finance;

3) prepares proposals for the implementation of measures aimed at preventing and/or reducing the negative consequences of identified risks in this area;

4) draft recommendations to improve interaction of executive authorities, other state authorities on prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

5) summarize information duly received from executive authorities, other state authorities on legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction, draft relevant analytical materials to detect the sources of such proceeds, their legalization mechanisms and schemes, and ways of preventing negative trends in this area;

6) submit proposals to improve the mechanisms of information exchange between executive authorities, other state authorities involved in countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction, specifically to ensure functioning of a unified state information system in this area;

7) monitor the status of implementation by executive authorities, other state authorities of their tasks in the area of prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

8) submit recommendations and proposals developed in the course of its operation to the Cabinet of Ministers of Ukraine.

6. To fulfil its tasks, the Council shall have the right to:

1) duly obtain from executive authorities, other state authorities the required statistical, reference information on their operation in the area of prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction (except for restricted-access information);

2) invite to its meetings representatives of executive authorities, other state authorities (subject to their executives' consent) to discuss challenges arising while taking actions in the area of prevention and counteraction to legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

3) involve in its activities specialists of executive authorities, other state authorities (subject to their executives' consent), foreign specialists and mass media representatives (by consent), whose main or thematic activities are related to countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction;

4) establish permanent or temporary working groups, if needed, for discharging of its tasks;

5) duly summon meetings, conduct workshops, conferences on the issues related to discharging of its tasks.

7. The Council is led by the Head, who is the Head of the SFMS by virtue of his position.

The personal composition of the Council is approved by its Head.

8. Meetings are the organizational form of work of the Council, held by the decision of its Head, but at least once every six months.

The SFMS shall notify the members of the Council no later than one week before the meeting of its holding and the agenda.

The meeting of the Council is held by the Head, and in his absence – by the First Deputy Head.

Preparation of materials for consideration at the meetings of the Council is provided by its Secretary.

A meeting of the Council shall be recognized as valid if more than half of its members are present.

9. At its meetings, the Council develops proposals and recommendations on issues within its competence.

Proposals and recommendations are considered approved if more than half of the Council members present at the meeting have voted for them.

In case of equal distribution of votes, the vote of the Head at the meeting is decisive.

10. Proposals and recommendations shall be recorded in the minutes of the meeting, which shall be signed by the Head of the meeting and the Secretary of the Council and sent to all members of the Council and the Cabinet of Ministers of Ukraine.

A member of the Council who does not support the proposals (recommendations) may express his/her dissenting opinion in writing, which shall be attached to the minutes of the meeting.

11. Proposals and recommendations of the Council may be implemented by the Cabinet of Ministers of Ukraine adopting a decision, the draft of which is submitted by the SFMS or another executive body, the representative of which is a member of the Council, in the prescribed manner.

12. The Council uses a blank with its name in its work.

13. Organizational, informational, material and technical support of the Council's activity is provided by the SFMS.

APPROVED
by Resolution of the Cabinet of
Ministers of Ukraine of September 8,
2016 No. 613

LIST
of Resolutions of the Cabinet of Ministers of Ukraine that have been declared
to be null and void

1. Resolution of the Cabinet of Ministers of Ukraine of January 6, 2010 No. 25 “On Establishing the Council for the Study of Methods and Trends in Laundering of Proceeds of Crime and Financing of Terrorism” (Official Bulletin of Ukraine, 2010, No. 2, p. 61).
2. Clause 8 of the amendments to the acts of the Cabinet of Ministers of Ukraine approved by Resolution of the Cabinet of Ministers of Ukraine of November 21, 2011 No. 1180 (Official Bulletin of Ukraine, 2011, No. 90, p. 3266).
3. Clause 48 of the amendments to the acts of the Cabinet of Ministers of Ukraine approved by Resolution of the Cabinet of Ministers of Ukraine of March 28, 2012 No. 256 (Official Bulletin of Ukraine, 2012, No. 24, p. 917).
4. Resolution of the Cabinet of Ministers of Ukraine of November 28, 2012 No. 1105 “On Amendments to Resolution of the Cabinet of Ministers of Ukraine of January 6, 2010 № 25” (Official Bulletin of Ukraine, 2012, No. 91, p. 3698).
5. Clause 11 of the amendments to Resolutions of the Cabinet of Ministers of Ukraine on the activities of the State Service for Regulatory Policy and Entrepreneurship Development, approved by Resolution of the Cabinet of Ministers of Ukraine of November 28, 2012 No. 1107 (Official Bulletin of Ukraine, 2012, No. 92, p. 3730).