



MINISTRY OF FINANCE OF UKRAINE

ORDER

July 8, 2015

Kyiv

No. 628

Registered with the Ministry of Justice of Ukraine
on July 27, 2015 under 900/27345

**On Approving the Procedure for Primary Financial Monitoring Subjects'
Agreeing of the Requested Information Submittal Time with the State
Financial Monitoring Service of Ukraine**

Pursuant to Clause 12, Part 2, Article 6 of the Law of Ukraine “On Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction” and to determine the procedure for the primary financial monitoring subjects' agreeing of the requested information submittal time with the State Financial Monitoring Service of Ukraine

I HEREBY ORDER:

1. Approve the attached Procedure for Primary Financial Monitoring Subjects' Agreeing of the Requested Information Submittal Time with the State Financial Monitoring Service of Ukraine

2. Declare null and void the Ministry of Finance of Ukraine Order of July 12, 2013, No. 641 “On Approving the Procedure for Primary Financial Monitoring Subjects' Agreeing of the Requested Information Submittal Time with the State Financial Monitoring Service of Ukraine” registered with the Ministry of Justice of Ukraine on August 2, 2013 under No. 1302/23834.

3. The Department of Tax, Customs Policy, Revenues, Payment Administration, and Accounting Methodology of the Ministry of Finance of Ukraine (Chmeruk M.O.) together with the Financial Investigation Department of the State Financial Monitoring Service of Ukraine (Khylyuk V.P.) shall duly ensure submittal of this Order for state registration to the Ministry of Justice of Ukraine.

4. This order shall become effective on the day of its official publication.

5. Control of this order implementation shall be imposed on the Deputy Minister of Finance of Ukraine, Makeyeva O.L., and the Deputy Head of the State Financial Monitoring Service of Ukraine, Zubriy V.P.

Minister

N. Jaresko

CONCURRED:

**Head of the State Commission for
Regulation of Financial Services
Markets**

**I.
Pashko**

**Head of the National Securities and
Stock Market Commission**

T.Z. Khromayev

**Deputy Head
of the National Bank of Ukraine**

Ya.V. Smoliy

**Head of the State Financial
Monitoring Service of Ukraine**

I.B. Cherkaskyi

Minister of Infrastructure of Ukraine

A. Pyvovarskyi

**Acting Minister of Economic
Development and Trade of Ukraine**

R. Korzh

**Head of the State Regulatory Service
of Ukraine**

K.M. Lyapina

APPROVED
Ministry of Finance of Ukraine
Order
of July 8, 2015, No. 628

Registered
with the Ministry of Justice of
Ukraine
on July 27, 2015 under 900/27345

**Procedure
for Primary Financial Monitoring Subjects' Agreeing of the Requested
Information Submittal Time with the State Financial Monitoring Service of
Ukraine**

I. General provisions

1. This procedure, developed to implement Clause 12, Part 2, Article 6 of the Law of Ukraine “On Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction” (hereinafter “the Law”), determines the procedure for the primary financial monitoring subjects' agreeing (hereinafter “the subjects”), except for designated, of the requested information submittal time with the State Financial Monitoring Service of Ukraine if the subjects cannot meet the deadlines established by Clauses 9, 10, Part 2, Article 6 of the Law for objective reasons.

2. For the purposes of this Procedure, the terms shall be used in the following meaning:

request – a State Financial Monitoring Service of Ukraine request for information to the subject pursuant to Clauses 9, 10, Part 2, Article 6 of the Law;

application – the subject's documentary approach on extending the time for submitting the requested information;

objective reasons – circumstances preventing subjects from meeting the deadlines set forth in the Law for submitting information in response to the State Financial Monitoring Service of Ukraine request, namely: significant scope of requested information, need to copy or scan a significant number of documents, obtaining data from archives, provision of information on paper, etc.

Other terms shall be used in the meaning provided in the Law.

**II. Procedure for Submittal of Applications for Extension of the Requested
Information Provision Time by the Subject to the State Financial Monitoring
Service of Ukraine**

1. If the subject for objective reasons has no possibility to meet the deadline established in Clauses 9, 10, Part 2, Article 6 of the Law (except Sub-Clause “a”, Clause 9, Part 2, Article 6 of the Law), it shall submit a relevant application to the State Financial Monitoring Service of Ukraine.

The application shall be submitted to the State Financial Monitoring Service of Ukraine no later than 14.00 of the second work day of the subject's receiving the request.

2. The subjects shall submit the applications to the State Financial Monitoring Service of Ukraine using the following method:

1) by bank subjects (foreign bank branches) – electronically through the National Bank of Ukraine email (hereinafter “the NBU email”) to the State Financial Monitoring Service of Ukraine email address sdfm@u0qm, and in situations which make it impossible to electronically submit the application to the State Financial Monitoring Service of Ukraine through the NBU email – by registered mail with a delivery slip or by express delivery or courier mail.

The date and time of the State Financial Monitoring Service of Ukraine receiving the application shall be the date and time of the application arrival at the State Financial Monitoring Service of Ukraine email hub of the National Bank of Ukraine, and if sent by registered mail with a delivery slip or by express delivery or courier mail – a State Financial Monitoring Service of Ukraine stamp with the time and date of receiving the application from the bank (foreign bank branch);

2) by non-banking financial institution, insurance (reinsurance) broker subjects:

by fax to the number shown in the request with subsequent submittal to the State Financial Monitoring Service of Ukraine of the original application by registered mail with a delivery slip. The date and time of the State Financial Monitoring Service of Ukraine receipt of the application shall be the date and time shown in the fax report; or

by email to the address zayava@sdfm.gov.ua with subsequent submittal to the State Financial Monitoring Service of Ukraine of the original application by registered mail with a delivery slip. The date and time of the State Financial Monitoring Service of Ukraine receipt of the application from a non-banking institution, insurance (reinsurance) broker shall be determined based on the State Financial Monitoring Service of Ukraine email protocols; or

in situations which make it impossible to electronically submit the application to the State Financial Monitoring Service of Ukraine by fax or email – by registered mail with a delivery slip or by express delivery or courier mail. The date and time of receiving the application from a non-banking financial institution, insurance (reinsurance) broker subject shall be a State Financial Monitoring Service of Ukraine stamp with the time and date of its receipt.

3. The application shall contain the following information:

1) subject's details – full name, Unified State Register of Enterprises and Organizations of Ukraine (EDRPOU) identification code; individual entrepreneur's surname, first name, patronymic, taxpayer's account card registration number (or identification number from the State Register of Individual Taxpayers and Other

Mandatory Payments) or the Ukraine citizen's passport number (and series if available), which has a stamp on refusal to accept the Ukrainian taxpayer's account card registration number, or the number of a passport with a record on refusal to accept the Ukrainian taxpayer's account card registration number on an electronic contactless medium; subject's account identifier; contact phone/fax number;

2) request date and number (State Financial Monitoring Service of Ukraine registration);

3) the number of financial transactions in the request;

4) request receiving date and time;

5) information on the objective reasons requiring extended time for submitting information in response to the request (number of financial transactions on which the response has to be provided, volume of information which requires scanning, etc.);

6) time required to prepare the information in response to the request;

7) position, surname, first name, and patronymic of the person who signed the application.

If the request date does not match its receiving date, the subject may provide additional information confirming the request receiving date (if available).

The application may contain information on several requests.

A sample (recommended format of the) application for extended time for submittal of the requested information is provided in Attachment 1 to this Procedure.

4. If one of the details specified in the applications is missing, the State Financial Monitoring Service of Ukraine shall leave the application unreviewed on its merits and immediately notify the subject accordingly:

a bank (foreign bank branch) – electronically through the National Bank of Ukraine email by sending a relevant notification to the subject;

a non-banking financial institution, insurance (reinsurance) broker – by fax or email, sending a relevant notification to the subject with subsequent submittal of the original notification by registered mail.

Upon the subject's receiving of such a notification from the State Financial Monitoring Service of Ukraine, it shall have the right to send another application to the State Financial Monitoring Service of Ukraine within the time stipulated in paragraph 2, Clause 1 of this Section.

III. Procedure for Review of Applications for Extension of the Requested Information Provision Time by the State Financial Monitoring Service of Ukraine

1. Review of applications and decision making based on review of such applications by the State Financial Monitoring Service of Ukraine shall be

completed before close of business of the second work day of the subject's receiving the request.

The review shall be granted to the applications received no later than 14.00 of the second work day of the subject's receiving the Request.

The State Financial Monitoring Service of Ukraine shall leave the application unreviewed if the request to the subject used as a basis for the application was submitted pursuant to Sub-Clause "a", Clause 9, Part 2, Article 6 of the Law.

2. The State Financial Monitoring Service of Ukraine shall agree to extend the time needed for the subject to provide information in response to the Request after review of the objective reasons stated in the subject's application and urgency of receiving such information for appropriate and timely performance of the tasks and functions imposed on the State Financial Monitoring Service of Ukraine.

3. After review of the applications, the State Financial Monitoring Service of Ukraine shall make a decision which is entered on the Register of Reviewed Applications for Extended Time of Submittal of the Requested Information to the State Financial Monitoring Service of Ukraine (hereinafter "the Register") maintained per the form shown in Attachment 2 to this Procedure.

4. After review of the applications, the State Financial Monitoring Service of Ukraine shall send a transcript of Register to the subject, stating the results of the decision made by the State Financial Monitoring Service of Ukraine on approval of the time for submittal of the requested information.

5. Excerpts from the Register shall be sent to the subjects using the following methods:

1) to bank subjects (foreign bank branches) – electronically through the National Bank of Ukraine email to the National Bank of Ukraine email hub address established at the bank (foreign bank branch), by email, by registered mail with a delivery slip through express delivery or courier mail.

The date and time of the bank (foreign bank branch) receiving the transcript of Registers shall be the date and time of the transcript of Register arrival at the National Bank of Ukraine email hub established at the bank (foreign bank branch), and if the State Financial Monitoring Service of Ukraine sends the transcript of Register by registered mail with a delivery slip through express delivery or courier mail – a bank (foreign bank branch) stamp with the time and date of receiving the transcript of Register from the State Financial Monitoring Service of Ukraine;

2) to non-banking financial institutions, insurance (reinsurance) broker subjects:

by fax to the number shown in the application with subsequent submittal of the transcript of Register by registered mail with a delivery slip. The date and time of receiving the transcript of Register shall be the date and time shown in the fax report;
or

by email with subsequent submittal of the transcript of Register by registered mail with a delivery slip. The date and time of the State Financial Monitoring Service of Ukraine sending of the transcript of Register shall be determined based on the State Financial Monitoring Service of Ukraine email protocols.

In situations which make it impossible to electronically submit the transcript of Register to a non-banking financial institution, insurance (reinsurance) broker subject by fax or email – by registered mail with a delivery slip, by express delivery or courier mail.

The date and time of the non-banking financial institution, insurance (reinsurance) broker subject's receipt of the transcript of Register from the State Financial Monitoring Service of Ukraine sent by registered mail with a delivery slip, by express delivery or courier mail shall be a stamp with the time and date of its receipt by the non-banking financial institution, insurance (reinsurance) subject.

The transcript of Register shall be sent to the subject on the decision-making day, but no later than the next work day of the subject's receipt of the request.

If needed and on the subject's written request, the State Financial Monitoring Service of Ukraine shall send a certified transcript of Register to the subject.

**Director of the Department of Tax,
Customs Policy, and Accounting
Methodology**

M.O. Chmeruk

Attachment 1
to the Procedure for Primary
Financial Monitoring Subjects'
Agreeing of the Requested
Information Submittal Time with
the State Financial Monitoring
Service of Ukraine
(paragraph 11, Clause 3, Section II)

Application on Extending the Time for Provision of the Requested Information

(date)

(number)

Information on the primary financial monitoring subject (applicant):

(full name, Unified State Register of Enterprises and Organizations of Ukraine (EDRPOU) identification code; individual entrepreneur's surname, first name, patronymic, taxpayer's account card registration

number (or identification number from the State Register of Individual Taxpayers and Other Mandatory Payments) or the Ukraine citizen's passport number (and series if available), which has a stamp on refusal to accept the Ukrainian taxpayer's account card registration number, or the number of a passport with a record on refusal to accept the Ukrainian taxpayer's account card registration number on an electronic contactless medium; account identifier)

(primary financial monitoring subject's contact telephone/fax)

Request details:

(request date and number (registration with the State Financial Monitoring Service of Ukraine), number of transactions, date and the time of the request receipt, surname of the State Financial Monitoring Service of Ukraine official named in the request)

Total number of transactions in the requests

(to be filled out if there are several requests)

If available, information confirming the date of receiving the request(s)

(If the request date does not match its receiving date)

Information on time extension:

impossible to meet the deadlines stipulated in Clauses 9, 10, Part 2, Article 6 of the Law of Ukraine “On Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction” for the following objective reasons:

(information on the objective reasons justifying extension of the time for information submittal)

To meet the request the applicant needs _____
(number of additional work days required to meet the request(s))

The applicant represented by:

(position, surname, first name, patronymic)

(signature)

“ ”

