



MINISTRY OF FINANCE OF UKRAINE

ORDER

05.10.2020

Kyiv

No. 597

Registered in the Ministry of Justice
of Ukraine on October 22, 2020 No.
1037/35320

On approving the Procedure for information exchange between the State Financial Monitoring Service of Ukraine and the National Bank of Ukraine to increase the effectiveness of the supervision over the reporting entities' compliance with 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

In order to increase the effectiveness of the supervision over the reporting entities' compliance with 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 and according to paragraph 15 of part 2 of Article 25 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 **I ORDER:**

1. To approve the Procedure for providing by the State Financial Monitoring Service of Ukraine of the information to the National Bank of Ukraine in order to increase the effectiveness of the supervision over the reporting entities' compliance with 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, attached.

2. To recognize as having lost force the order of the Ministry of Finance of Ukraine of August 3, 2015 No. 691 «On approving the Procedure for providing by the State Financial Monitoring Service of Ukraine of the information to the National Bank of Ukraine in order to increase the effectiveness of the supervision

over the reporting entities' compliance with 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», registered by the Ministry of Justice of Ukraine on August 20, 2015 No. 1011/27456.

3. The Department for Provision Coordination and Monitoring Work of the Ministry of Finance of Ukraine and the Department for Financial Monitoring System Coordination of the State Financial Monitoring Service of Ukraine to ensure in accordance with the established procedure:

submission of this order for state registration to the Ministry of Justice of Ukraine;

publishing this order.

4. This order shall enter into force on the day of its official publication.

5. Control over the execution of this order shall be imposed on the First Deputy Minister of Finance of Ukraine D. Uliutin and the First Deputy Head of the State Financial Monitoring Service of Ukraine I. Gaievskiy.

Minister

S. Marchenko

AGREED:

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

I. Gaievskiy

Head of the National Bank of Ukraine

K. Shevchenko

ADOPTED
Order of the Ministry of Finance
of Ukraine of October 5, 2020 No.
597

Registered in the Ministry of
Justice of Ukraine on October 22
2020 No. 1037/35320

PROCEDURE

for providing by the State Financial Monitoring Service of Ukraine of the information to the National Bank of Ukraine in order to increase the effectiveness of the supervision over the reporting entities' compliance with 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

I. General provisions

1. This Procedure is developed according to paragraph 15 of part 2 of Article 25 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».

2. This Procedure determines the scope and procedure for providing by the SFMS to the state financial monitoring entity – the National Bank of Ukraine of the information in order to increase the effectiveness of its supervision over the compliance with 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 by banks and branches of foreign banks; insurers (reinsurers), insurance (reinsurance) brokers, credit unions, pawnshops and other financial institutions (except for financial institutions and other legal entities in respect of which the state regulation and supervision 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 are carried out by other state financial monitoring entities); payment organizations, participants or members of payment systems that provide financial services on the basis of the relevant licenses or registration documents; postal operators; other institutions that provide services for the transfer of funds and foreign exchange transactions; branches or representative offices of foreign business entities providing financial services in Ukraine, other legal entities that are not financial institutions by their legal status, but provide certain financial services (hereinafter - the entities).

II. Information provided by the SFMS

1. The SFMS provides the National Bank of Ukraine with the information on the effectiveness of the measures taken by the entities supervised by the National Bank in order to prevent and counteract to legalization (laundering) of the proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction, namely:

statistics on financial transactions subject to financial monitoring, other information that may be related to legalization (laundering) of the proceeds from crime, financing of terrorism or financing of proliferation of weapons of mass destruction, received by the SFMS from the entities;

information on registration of the entities in the SFMS;

information on the list of the entities that have been deregistered;

information on the signs of possible violations by the entities 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 revealed by the SFMS;

information (upon the request) on the signs of possible violations by the entities 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 (subject to the restrictions established by 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») revealed by the National Bank.

2. The form of providing the information specified in paragraph 1 of section II of this Procedure, the structure and composition of the details shall be determined on the basis of an agreement concluded between the SFMS and the National Bank.

3. The information submitted by the SFMS to the National Bank is used for official purposes when supervising the compliance of the entities with the requirements of the legislation and may not be disclosed to third parties.

IV. Terms of providing information

1. The SFMS provides the National Bank with the determined information in accordance with:

subparagraphs 2-4 of paragraph 1 of section II of this Procedure - monthly until the 10th day of the month following the reporting month;

subparagraph 5 of paragraph 1 of section II of this Procedure – not later than 5 working days from the date of detection of such signs;

subparagraph 6 of paragraph 1 of section II of this Procedure - within 10 calendar days from the date when the request was received.

**Director of the Department for
Provision Coordination and
Monitoring Work of the Ministry of
Finance of Ukraine**

Y. Koniushenko