



MINISTRY OF FINANCE OF UKRAINE

ORDER

August 3, 2015

Kyiv

No. 691

Registered with the Ministry of Justice of Ukraine
on August 20, 2015 under 1011/27456

On Approving the Procedure for Provision of Information by the State Financial Monitoring Service of Ukraine to the National Bank of Ukraine to Enhance the Efficiency of Supervising the Primary Financial Monitoring Subjects' Compliance with the Requirements of the Legislation on Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction

To enhance the efficiency of supervision over the primary financial monitoring subjects' compliance with the legislative requirements on preventing and countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction and pursuant to Clause 15, Part 2, Article 18 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"

I HEREBY ORDER:

1. Approve the attached Procedure for Provision of Information by the State Financial Monitoring Service of Ukraine to the National Bank of Ukraine to Enhance the Efficiency of Supervising the Primary Financial Monitoring Subjects' Compliance with the Requirements of the Legislation on Preventing and Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction.

2. The Department of Tax, Customs Policy, and Accounting Methodology of the Ministry of Finance of Ukraine (Chmeruk M.O.) and the Department for Coordination of the Financial Monitoring System of the State Financial Monitoring Service of Ukraine (Hayevskiy I.M.) shall duly submit this Order for state registration to the Ministry of Justice of Ukraine.

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

4. Control of this order implementation shall be imposed on the Deputy Minister of Finance of Ukraine, Makeyeva O.L., and the First Deputy Head of the State Financial Monitoring Service of Ukraine, Kovalchuk A.T.

Minister

N. Jaresko

CONCURRED:

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

I. B. Cherkaskyi

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

O.V. Pysaruk

APPROVED
Ministry of Finance of Ukraine Order
of August 3, 2015, No. 691

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**Procedure
for Provision of Information by the State Financial Monitoring Service of Ukraine to the
National Bank of Ukraine to Enhance the Efficiency of Supervising the Primary Financial
Monitoring Subjects' Compliance with the Requirements of the Legislation on Preventing and
Countering Legalization (Laundering) of Proceeds of Crime, Financing of Terrorism, and
Financing of Proliferation of Weapons of Mass Destruction**

I. General provisions

1. This Procedure has been developed pursuant to Clause 15, Part 2, Article 18 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".

2. This Procedure establishes the scope and procedure for provision of information by the State Financial Monitoring Service of Ukraine (hereinafter "the SFMSU") to the state financial monitoring subject – the National Bank of Ukraine (hereinafter "the National Bank") to enhance the efficiency of its supervision of compliance with the requirements of the legislation on preventing and countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction of the primary financial monitoring subjects-resident non-banking institutions that are payment organizations and/or members or participants of payment systems in relation to their provision of a money transfer financial service based on corresponding licenses, specifically of the National Bank (except for postal operators in relation to their money transfers), international bank branches, banks (hereinafter "the subjects").

II. List of Information Submitted to the National Bank and its Submittal Deadlines

1. The State Financial Monitoring Service of Ukraine shall submit information to the National Bank on the efficiency of measures taken by the subjects supervised by the National Bank with the aim of preventing and countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction, namely:

statistical data on financial transactions subject to financial monitoring received by the State Financial Monitoring Service of Ukraine from the subjects (in terms of financial transactions subject to mandatory and internal financial monitoring);

information on the accounting status of the subjects with the State Financial Monitoring Service of Ukraine;

information on the facts detected by the State Financial Monitoring Service of Ukraine that may evidence violation by the subjects of the legislative requirements on preventing and countering legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction to establish existence of corresponding violations;

information on the protocols drawn by the State Financial Monitoring Service of Ukraine on the administrative offenses committed by the subjects' officials and the results of their review with indication of the officials who committed the offense, elements of the offense, date of drawing the protocol, court decisions, amount of the administrative penalty;

results of the analyses of methods and financial schemes used for legalization (laundering) of proceeds of crime, financing of terrorism, and financing of proliferation of weapons of mass destruction.

2. The State Financial Monitoring Service of Ukraine shall provide the information stipulated in Clause 1 of this Section to the National Bank, specifically in:

paragraph 2-3 – on a quarterly basis before the 20th of the month following the reported quarter;

paragraph 4 – within a month of the day of detecting such facts;

paragraph 5 – within seven work days after submitting the administrative offense protocol to the court and receiving information from it on the results of the case review;

paragraph 6 – annually before March 1 of the year following the reported one.

III. Procedure for Information Protection

1. The form for submittal of the Information stipulated in Clause 1, Section 2 of this Procedure, the method of its transfer, the structure and composition of the details shall be determined based on the agreement concluded between the State Financial Monitoring Service of Ukraine and the National Bank.

2. Data containing restricted-access information shall be provided in the cases and in accordance with the procedure set forth in the legislation of Ukraine.

3. The information provided to the National Bank by the State Financial Monitoring Service of Ukraine shall be used for work-related purposes while supervising the subjects compliance with the requirements of Ukraine's legislation and shall not be disclosed to third parties.

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

M.O. Chmeruk