

**INSTRUCTION**  
**No. 3, dated 24.1.2025**

**ON THE METHODS AND PROCEDURES FOR IMPLEMENTATION BY  
DESIGNATED BUSINESSES AND NON-FINANCIAL PROFESSIONS**

Pursuant to Article 102, point 4 of the Constitution and Article 28, point 3, letter “a” of Law no. 9917, dated 19.5.2008, “On the prevention of money laundering and financing of terrorism”, as amended,

I HEREBY ORDER:

**CHAPTER I**  
**GENERAL PROVISIONS**

Article 1  
**Purpose**

The purpose of this instruction is to determine the methods and procedures for implementation by entities engaged in non-financial activities, in accordance with the provisions of Article 3 of Law no. 9917, dated 19.5.2008, “On the prevention of money laundering and financing of terrorism”, as amended.

Article 2  
**Definitions**

1. The definitions set out in Article 2 of Law no. 9917, dated 19.5.2008, “On the prevention of money laundering and financing of terrorism”, as amended, shall apply directly to the terminology used in the content of this instruction. In the event that any term or phrase is found to have a different meaning from that provided in the law, the terminology provided in the law shall prevail.

2. In addition to what is provided in point 1 of this Article, for the purpose and implementation of this instruction, the following terms shall have the following meaning:

a) “Suspicious Activity Report” (SAR) is the electronic form by means of which the entities subject to this instruction report to the competent authority any suspicious transaction and activity, pursuant to Annex I “Suspicious Activity Report” (SAR), attached to and forming part of this instruction;

b) “Cash Transaction Report” (CTR) is the electronic form by means of which the entities subject to this instruction report to the competent authority any transaction in physical cash in an amount equal to or greater than 1,000,000 (one million) ALL or the equivalent in other foreign currencies, carried out as a single transaction or as transactions linked to one another, pursuant to Annex II Cash Transaction Report” (CTR), attached to and forming part of this instruction;

c) Remote Control Report” (RCR) is the form pursuant to Annex III “Remote Control Report” (RCR), attached to and forming part of this instruction, which, at the request of the competent authority, is completed and reported by the entities subject to this instruction regarding their fulfillment of legal obligations;

ç) “Centralized System” is the internal register for the registration and retention of data on customers and transactions, which is completed by the entities subject to this instruction and which contains the data according to Annex IV “On the recording and retention of data on customers and transactions”, attached to and forming part of this instruction;

d) “Source of wealth” is the totality of funds and property possessed by the customer;

dh) “Occasional customer” is a person who is a user of the services offered by the entities subject to this instruction, even if only once, during a 1-year (one-year) period, without establishing an ongoing business relationship with these entities;

e) “Batch transfer” means a transfer consisting of several individual transfers sent to the same financial institution but which may have more than one payee.

### Article 3

#### **Subjects of this instruction**

1. The subjects of this instruction are as follows:

- a) gambling services, casinos and hippodromes, of any form;
- b) lawyers, notaries and other professions as defined in Article 3, letter “g” of the law;
- c) real estate agents, as defined in Article 3, letter “h”, of the law;
- ç) any natural or legal person, except those specified in letters “a”, “b”, “c”, of point 1 of this Article, who are engaged in:
  - i. management of third parties’ assets and/or the administration of activities related thereto;
  - ii. constructions;
  - iii. the business of precious metals and stones;
  - iv. financial collateral arrangements;
  - v. the auction sale of items valued at 1,000,000 (one million) ALL or more;
  - vi. the sale or mediation of works of art, including when this is carried out by art galleries or auction houses, when the value of a single transaction or of transactions linked to each other is equal to or greater than 1,000,000 (one million) ALL, regardless of whether the transaction is carried out in a single transaction or in several transactions linked to each other;
  - vii. storage, sale or mediation of works of art, when this is carried out in “free zones”, when the value of a single transaction or of transactions linked to each other is equal to or greater than 1,000,000 (one million) ALL, regardless of whether the transaction is carried out in a single transaction or in several transactions linked to each other;
  - viii. securing and managing physical cash or easily convertible securities, on behalf of third parties;
  - ix. freight forwarding and/or transport activities;
  - x. trading of land, watercraft and aircraft motor vehicles;
  - xi. travel agencies;
- d) any natural or legal person, except those specified in letters “a”, “b”, “c”, “ç”, of point 1 of this Article, who provides the following services for a customer:
  - i. acts as an agent for the formation of legal persons;
  - ii. acts or appoints another person to act as a director or administrator of a legal person, a partner in a partnership or a similar position related to other legal persons;
  - iii. provides a registered office, accommodation or business address, official address or correspondence address for a company, partnership, legal person or legal arrangements;
  - iv. acts or appoints another person to act as a trustee of a legal arrangement or performs an equivalent function for another form of legal arrangement;
  - v. acts or appoints another person to act as a shareholder and/or partner of companies that have bearer shares for another person;
- dh) any individual, natural or legal person, who trades goods or services to the extent that he/she makes or accepts payments in cash in an amount of 1,000,000 (one million) ALL or more, regardless of whether the transaction is carried out in a single transaction or in several related transactions;
- e) statutory auditors, approved accountants, tax advisers, as well as any other person who undertakes to provide, directly or through other persons with whom that person is connected, material assistance, support or advice on tax matters, as a main business or professional activity.

## CHAPTER II DUE DILIGENCE

### Article 4 **Due diligence measures**

1. “Due diligence” is the set of measures that must be implemented by the entities subject to this instruction for the purpose of:

- a) the complete and accurate identification and verification of the customer;
- b) the identification of the ultimate beneficial owner and the verification of his identity;
- c) to understand the ownership and control structure for customers who are legal persons or legal arrangements;
- ç) to understand and collect information on the nature and purpose of the transaction or the establishment of the business relationship;
- d) to conduct ongoing monitoring of the business relationship with the customer and analysis of the transactions carried out;
- dh) to determine the customer's risk profile.

### **Section 1**

#### Article 5 **Identification and verification of the customer**

1. The entities must identify the customer and verify his identity through documents, data, or information obtained from reliable and independent sources, for every:

- a) occasional customer;
- b) customer with whom they have a continuous business relationship.

2. A customer, within the meaning of the law, is any:

- a) natural person;
- b) natural person who carries out a profit-making activity;
- c) private legal person who carries out a profit-making activity;
- ç) private legal person who does not carry out a profit-making activity;
- d) legal organization;
- dh) legal representative, authorized representative or agent by proxy of the customer;

3. The identification of the customer, the verification of his identity, and his legal status are ensured through documents:

- a) originals;
- b) or electronic documents that meet the validity conditions, according to the legislation in force on electronic documents and electronic signatures.

4. The entities must verify the identity of the customer before or during the establishment of the business relationship, or the execution of a transaction for occasional customers.

5. The verification of the identity of the customer and the beneficial owner may be carried out after the establishment of the business relationship, provided that the verification:

- a) to be carried out as soon as is practically possible;
- b) does not lead to the interruption of the normal course of business operations; and
- c) the risks of money laundering and terrorist financing are managed effectively, in accordance with the measures set out in Article 4/1 of the law.

#### Article 6 **Electronic identification of the customer**

1. The electronic identification of the customer may be carried out by the entities subject to this instruction through secure electronic identification, in accordance with the requirements of the relevant law “Për identifikimin elektronik dhe shërbimet e besuara”, only in cases where the following conditions are met:

- a) the identity of the customer is verified on the basis of an official biometric identification document equipped with a photograph;
- b) the non-resident customer is over 18 years old;
- c) the customer does not reside in, or his identification document is not issued by, high-risk countries.

2. Before introducing the electronic identification system into use, entities must assess the risk of money laundering and terrorist financing in relation to this type of process, as well as take appropriate and effective measures to prevent the risks associated with transactions or business relationships carried out without the physical presence of the customer.

#### Article 7

##### **Documentation for the identification and verification of individual customers**

1. The identification and verification of the identity of the individual customer is carried out by means of one of the following documents:

- a) ID card (identity card);
- b) passport.

2. For the foreign individual resident:

- a) passport;
- b) ID card (identity card) issued under the legal framework in force for foreigners;
- c) biometric residence permit issued under the legal framework in force for foreigners.

3. For the non-resident individual:

- a) passport;
- b) ID card (identity card) for countries that are permitted to travel to the Republic of Albania with this document pursuant to the legal and bylaw acts in force.

4. For the identification and verification of the identity of the individual customer, the entities must also record and retain the following data:

- a) permanent and temporary residence (if any);
- b) employment.

#### Article 8

##### **Documentation for the identification and verification of the customer engaged in profit-making activity**

1. For the category of individual customer engaged in profit-making activity and private legal person customer engaged in profit-making activity, for their identification and verification, and their legal status, the following documents are required:

- a) registration document at the National Business Center;
- b) court decision, statute, and founding act, if any;
- c) the registration certificate of the taxable person issued pursuant to the legal framework in force, reflecting the NUIS/NIPT number;
- ç) the address of the principal place of business activity, as well as the address of the branches of business activity, if any.

2. For the category of customers provided in point 1 of this article who are non-residents, the following documents are required:

- a) documentation proving the registration of the foreign company in the country of residence;

- b) the statute of the company, if any;
- c) the equivalent document of registration of the taxable person (NUIS/NIPT) in the country of residence;
- ç) the address of the principal place of business activity, as well as the address of the branches of business activity, if any.

3. For this category of customers, the entities identify and verify whether every person acting on behalf of the customer is their legal representative or authorized person. The identification and verification of their identity and legal status is carried out in accordance with the documentation required in Article 11 of this instruction.

#### Article 9

#### **Documentation for the identification and verification of the customer who does not carry out profit-making activities**

1. For the private legal person who does not carry out profit-making activities, for the identification and verification of their legal status, the entities require the following documents:

- a) the act of establishment and the statute;
- b) the court decision;
- c) the registration certificate of the legal person with the NUIS/NIPT number, issued in accordance with the applicable legal framework;
- ç) the permanent headquarters, the address of the principal place of activity or the branches where the activity is carried out.

2. For the non-resident private legal person who does not carry out profit-making activities, the following documents are required for the identification and verification of their legal status:

- a) the act of establishment, the statute, the court decision or the relevant equivalent documentation according to the country of origin;
- b) the registration certificate of the legal person or an equivalent document according to the country of origin.

3. For this category of customers, the entities identify and verify whether each person acting on behalf of the customer is their legal or authorized representative. The identification and verification of their identity and legal status is carried out according to the documentation required in Article 11 of this instruction.

#### Article 10

#### **Documentation for the identification and verification of legal arrangements**

1. The entities subject to this instruction, for customers that are legal arrangements, must:
  - a) to identify and verify the legal status through:
    - i. founding documents;
    - ii. registration documents or similar facts of their existence;
    - iii. the legal form;
    - iv. the address where the activity is conducted;
  - b) to obtain essential information and verify the data and documentation for:
    - i. the founders;
    - ii. the beneficiaries;
    - iii. the guardian or the person who exercises de facto control over them;
    - iv. the trustees;
    - v. other regulated agents and service providers, including advisors, managers, accountants, and tax advisors;
    - vi. the directors and/or legal representatives (for legal persons) and the provisions governing legal relations;

c) verify whether any person acting on behalf of the legal arrangement is authorised and identify, and verify their identity;

ç) in the case of beneficiaries of trusts or legal arrangements, determined on the basis of specific characteristics or class, sufficient information must be obtained about the beneficiary in order to ensure the identification of the beneficiary at the time of payment or the exercise of rights by the beneficiary.

2. The subjects of this instruction identify and verify the identity and legal status according to the requirements in point 1 of this article, through the documentation provided in articles 7, 8, 9, and 11 of this instruction.

#### Article 11

##### **Documentation for the identification and verification of the legal representative, authorised representative or proxy of the customer**

1. The subjects of this instruction determine for all customers, before establishing business relationships or during the monitoring process of this relationship, whether they are acting on behalf of another person and take reasonable measures to obtain sufficient information for the identification of that person and verification of the data.

2. The subjects of this instruction shall verify whether any person acting on behalf of their customer is authorised and shall identify and verify their identity and legal status, the data of the legal representative, authorised representative or proxy of the customer through:

- a) the act of representation;
- b) the documentation provided for in Articles 7, 8, 9, 10 and 12 of this instruction.

#### Article 12

##### **Additional documents for the identification and verification of the customer**

1. The subjects may request from the customer, whether resident or non-resident, but not limited to these, as necessary for the identification and verification of the identity and legal status of the customer, as well as in all cases where there is information or suspicion of money laundering or terrorist financing, the following documents:

- a) For natural persons and legal representatives:
  - i. certificates issued by the National Civil Status Registry;
  - ii. driving license;
  - iii. work booklets or employment contracts, work certificate or other document proving the employment relationship;
  - iv. purchase or lease contract of the residence;
  - v. contracts with service operators, such as: landline telephone, mobile phone, electricity, for water supply and sewerage services, others;
  - vi. residence certificate issued by the local authorities;
- b) For natural and private legal persons who carry out profit-making activities:
  - i. permit, authorization, certificate or license for the exercise of the activity, if any;
  - ii. purchase or lease contract of the headquarters and place of business activity;
- c) For legal persons who do not carry out profit-making activities:
  - i. permit, authorization, certificate or license for the exercise of the activity, if any;
  - ii. purchase or lease contract of the place of business activity.

2. Subjects, in addition to what is provided in point 1 of this Article, may request any other document deemed necessary within the identification and verification process of the customer.

### Article 13

#### **Identification and verification of the beneficial owner**

1. The subjects of this instruction must carry out the identification and verification of the identity of the beneficial owner or owners of their customers through the following documents:

- a) documentation provided for in Articles 7, 8, 9, 10, 11 and 12 of this instruction;
- b) extract from the register of beneficial owners;
- c) information or data obtained from reliable sources, on the basis of which the subject ensures the identity of the beneficial owner.

2. In cases where the register of beneficial owners does not exist in the country of origin, the subject carries out the verification of the beneficial owner according to the ownership documentation submitted by the customer.

3. The subjects verify the data they possess regarding beneficial owners with the data registered in the Register of Beneficial Owners. In the event of a discrepancy between the data managed by the subject, pursuant to point 1 of this Article, and the data registered in the Register of Beneficial Owners, the subject shall apply the obligations set out in Article 6 of Law no. 112/2020, “Për regjistrin e pronarëve përfutues”, as amended.

4. The subjects may refer, for the determination of the beneficial owner of their customers, to the examples given in Annex V “Indicative examples for the determination of the beneficial owner”, attached to this instruction.

### Section 2

#### Article 14

#### **The ownership and control structure of the customer**

1. The subjects must understand the ownership structure for customers that are legal persons or legal arrangements through:

- a) the act of establishment, the statute, and the court decision for the registration of the legal person according to the applicable legal framework;
- b) extracts from the commercial register (domestic or foreign);
- c) documentation collected in the context of the identification and verification of the beneficial owner;
- ç) the ownership diagram provided by the customer and the documentation submitted by them.

2. The subjects may obtain additional documents, within the framework of this article, through:

- a) independent audit reports;
- b) access to international databases or registers (*Worldcheck, Factiva, Lexus Nexus*, etc.);
- c) the official website of the customer;
- ç) public information obtained from third parties (e.g.: public notary, certified accountant, lawyer, etc.);
- d) information provided by the customer regarding senior management meetings, minutes, lists of authorizations and the hierarchical delegation of responsibilities, or any other document that may allow them to identify the ownership structure and beneficial ownership.

3. The subjects determine who the individuals are that own or control the customer, including those persons who exercise the ultimate effective control over the legal person or legal arrangement, as follows:

a) for legal persons this must also include the identification of individuals who constitute the decision-making and administrative part of the legal person and the keeping of records of actions undertaken, as well as any difficulties encountered during the verification process;

b) in the case of legal arrangements, this also includes the identification of the settlor, the beneficiary, the trustee, or the person with actual control over them.

4. The subjects determine for all customers, prior to establishing the business relationship or during the monitoring of this relationship, whether they are acting on behalf of another person and take reasonable measures to obtain sufficient data for the identification of that person and verification of the data.

5. The subjects verify whether any person acting on behalf of their customer is authorised and identify, and verify the identity of that person.

6. For legal persons this must also include the identification of individuals who constitute the decision-making and administrative part of the legal person and the keeping of records of actions undertaken, as well as any difficulties encountered during the verification process. In the case of legal arrangements, this also includes the identification of the settlor, the beneficiary, the trustee, or the person with actual control over them.

#### Article 15

### **Collection of information regarding the purpose of the transaction and establishment of the business relationship**

1. The subjects must collect information regarding the purpose and nature of carrying out the transaction or establishing the business relationship, on the basis of which they must create the customer's risk profile.

2. The subjects create the customer's risk profile to which due diligence is applied, according to Article 4/1 of the law, in order to ensure the specific purpose and nature of the business relationship or the execution of the transaction, by carrying out one or more of the following steps:

a) request supporting documentation regarding the source of funds and the customer's financial means, such as:

- i. employment contract;
- ii. proof of payment;
- iii. contracts of sale or lease, of movable or immovable property;
- iv. donation contract;
- v. legal acts of acquisition of property through inheritance, as well as other supporting documents;

vi. other acts of transfer of ownership of movable or immovable property;

b) collect information from open sources for customers, such as:

- i. searches on websites *web* through internet platforms<sup>1</sup>;
- ii. written or audiovisual media;
- iii. other sources;

c) collect and verify the information obtained from the customer in public registers, such as:

- i. the commercial register;
- ii. the register of beneficial owners;
- iii. the register of non-profit organisations;
- iv. or other public registers;

ç) assess the customer's financial capacity through documents provided by the customer, as well as public data in the commercial register, such as:

- i. financial statements for commercial entities;
- ii. decisions on the distribution of dividends for legal persons;

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<sup>1</sup> *Google* ose motor kërkimi të ngjashëm, të tjerë.



- iii. other relevant information.
- 3. The entities retain the documentation and information obtained according to the above steps, in accordance with Articles 36 and 37 of this instruction.

#### Article 16

##### **Ongoing monitoring of the customer, transactions, and business relationship**

1. The entities must carry out ongoing monitoring of the business relationship with the customer. This monitoring must include the analysis of transactions carried out throughout the duration of this relationship, in order to ensure that they are in line with the entity's knowledge of the customer, the nature of their business and risk profile, as well as the source of funds.
2. The entities must ensure, through the review of customer files, that the documents, data, and information collected during the due diligence process are updated and are valid and appropriate.
3. The entities must pay increased attention to customers or business relationships with legal persons with indirect ownership<sup>2</sup> and customers who are categorized as high risk, especially when there is information that the customer's actual situation has changed.
4. The entities must carry out ongoing monitoring of the business relationship with the customer and ongoing review of the transactions.
5. In the case of an ongoing relationship with the customer, the entities update the data and information obtained whenever necessary, based on the due diligence measures, monitoring of this relationship, and the customer's risk profile. In addition, the entities verify the data and information obtained within the framework of due diligence, including the data on the legal ownership structure and beneficial ownership, for their customers, not less than:
  - a) once a year for high-risk customers;
  - b) once every 3 years for medium-risk customers;
  - c) once every 5 years for low-risk customers.

#### Article 17

##### **Customer risk profile**

1. The entities create the customer risk profile to understand the purpose and nature of executing a transaction, establishing a business relationship, or during ongoing monitoring.
2. The risk profile is used by the entities to determine and apply due diligence and enhanced due diligence measures towards the customer.
3. In the assessment of the customer risk profile, the entities rely on the data obtained in the context of simplified, due, and/or enhanced due diligence.

#### Article 18

##### **Inability to exercise due diligence measures**

1. If the entities are unable to apply due diligence obligations towards the customer:
  - a) must not open accounts, establish a business relationship or execute transactions;
  - b) must submit a suspicious activity report to the competent authority.
2. In cases where the entity has established a business relationship and, as a result of the customer's failure to present documents or for other reasons, is unable to fulfill the due diligence obligation, the entity must terminate the business relationship and must submit a suspicious activity report to the competent authority.

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<sup>2</sup> Sipas përkufizimit të ligjit që ka objekt regjistrimin e pronarëve përfutues.

## **Section 3**

### **Other measures**

#### Article 19

### **Technological developments**

1. Entities must implement policies and take appropriate measures, as the case may be, for the identification and assessment of the risk of money laundering and terrorist financing, related to:

- a) the development of new products, business practices, delivery methods or distribution channels;
- b) the use of new or developing technologies.

These measures must be implemented prior to the introduction into use of new products and business practices or new technologies, for both new and existing products, in order to manage and reduce the identified risks.

2. Entities must implement specific procedures and take appropriate and effective measures to prevent the risk related to transactions or business relationships conducted without the physical presence of the customer.

#### Article 20

### **Reliance on third parties**

1. Entities, pursuant to Article 6/1 of the law, may rely on third parties to carry out the measures provided for in the law and in this instruction, provided that they ensure the fulfillment of the following criteria:

a) the entity relying on a third party must be able to immediately obtain the necessary information regarding the due diligence measures and the required documentation for the identification and verification of the customer;

b) the entity must take appropriate measures to ensure that copies of the identification data and other relevant documentation related to the due diligence obligations are made available immediately by the third party, as required by the entity itself or the competent authorities in implementation of the law;

c) the entity must ensure that:

i. the third party is regulated by law, meaning that the activity carried out by the third party is regularly defined within the relevant legal framework;

ii. the third party is supervised or monitored by the relevant authority for the anti-money laundering and counter-terrorist financing system. In this context, the third party is licensed and supervised by the relevant authority;

iii. the third party has an internal control structure also responsible for ensuring compliance with these obligations. In this context, the third party must respect and guarantee the requirements of the law and of this instruction regarding internal control;

iv. the third party has taken appropriate measures to comply with the requirements for due diligence measures and data retention, as set out in the law and this instruction. In this context, the third party must respect and guarantee the requirements of the law and this instruction, regarding due diligence measures, management and retention of documentation.

2. The entities subject to this instruction that rely on third parties must, before establishing a relationship with the customer, in addition to the criteria set out in point 1 of this article, also take into account the following criteria:

a) when establishing a relationship with third parties abroad, the available information regarding the risk level of that country must also be taken into consideration;

b) reliance on third parties established in high-risk countries is prohibited, except where the third party is a branch or majority-owned subsidiary of the entity, established in Albania in

accordance with the parent undertaking's policies and procedures, which are in compliance with the law;

- c) reliance on third parties is prohibited for cases provided for by law;
- c) reliance on third parties is prohibited when this is determined by the competent authority.

3. In any case, if the obligations are not fulfilled by the third parties, the legal responsibility remains with the entity subject to this instruction that relies on the third party.

## CHAPTER III ENHANCED DUE DILIGENCE

### Article 21

#### **Enhanced due diligence measures**

1. Enhanced due diligence must include additional measures, beyond those provided for due diligence, for business relationships, customers, or transactions that are high risk.

2. For the purpose of implementing enhanced due diligence, the entities subject to this instruction must take the following measures:

- a) to understand and test the profile of the customer, their business and activity related to the services, products, and transactions offered by the entity;
- b) to identify important information and assess the potential risk for money laundering/terrorist financing, in support of decisions aimed at protection from financial, regulatory, or reputational risks, as well as compliance with legal requirements;
- c) to apply enhanced due diligence measures to the business relationships, customers, and transactions specified according to Article 8 of the law.

### Article 22

#### **Categories of customers, transactions, and business relationships to which enhanced due diligence applies**

1. The entities must apply enhanced due diligence measures to the business relationships, customers, and transactions specified in Article 8 of the law, for:

- a) politically exposed persons (PEP), including family members, persons closely associated through personal, work, or business relationships with politically exposed persons according to the definitions in points 10, 10/1, and 10/2 of Article 2 of the law;
- b) non-profit organisations;
- c) legal arrangements;
- ç) business relationships and transactions with non-resident customers, assessed as high risk;
- d) companies with bearer shares;
- dh) with all categories of customers who reside or carry out their activity in countries for which the adoption of special measures is required, according to the specifications or requirements of the competent authority, or for customers for whom such a measure is required;
- e) with all high-risk countries designated by the competent authority or the Council of Ministers;
- ë) for all complex, high-value, and unusual transactions, which do not have any apparent economic or legal purpose;
- f) beneficiaries of life insurance policies. This category of transactions or business relationships shall be considered by the entities in advance as a risk factor to determine whether or not to apply enhanced due diligence measures.

2. For the implementation of enhanced due diligence towards customers, entities may require the physical presence of customers and their representatives before establishing a business relationship.

## Article 23

### **Other categories subject to enhanced due diligence**

1. In addition to the categories specified in Article 22 of this instruction, entities may determine other categories of business relationships, customers, transactions, products, services, distribution channels, countries, or geographical areas assessed as high risk to which enhanced due diligence measures must be applied.

2. In implementation of point 1 of this Article, entities must draft and implement procedures and policies to identify the level of risk according to the categories of customers or business relationships. These procedures and policies must be consistent with the activity of the entity and proportionate to the identified risk.

3. The policies and procedures of the entities must be based on:

- a) the risk posed by the customer, their geographical position, and the whole range of products and services;
- b) the customer acceptance policy and the monitoring of the business relationship;
- c) the process of categorizing all customers according to their risk level.

## Article 24

### **Enhanced due diligence measures for politically exposed persons**

1. The entities subject to this instruction include in their internal regulations and procedures, the methods for assessing and managing the risk of the customer, business relationship, and transactions in order to determine, among other things, whether a customer or the customer's beneficial owner is a politically exposed person.

2. In relation to what is provided in point 1 of this article, the entities:

- a) must seek information from available sources, such as: the updated list of domestic politically exposed persons, specific databases (*Worldcheck*, *Factiva* etc.), as well as open sources of information;
- b) must obtain the approval of senior management for establishing business relationships or continuing such relationships when an existing customer becomes a politically exposed person;
- c) must carry out increased and ongoing monitoring of business relationships with these customers;
- c) must take appropriate measures to determine the source of wealth and the source of funds.

3. For family members, persons closely related personally, in work or in business to politically exposed persons, the same measures provided for in this article shall apply.

## Article 25

### **Enhanced vigilance measures for non-profit organizations**

1. The entities shall include in their internal regulations and procedures the policies for assessing and managing the risk of business relationships with customers who are non-profit organizations.

2. In relation to what is provided in point 1 of this article, the entities:

- a) must request and obtain data on the nature of their activity, administration and management, as well as the source of funds;
- b) must analyze such information through the implementation of risk management procedures;
- c) must carry out increased and ongoing monitoring of the business relationships with these customers.

## Article 26

## **Enhanced vigilance measures for business relationships or transactions involving high-risk countries**

1. In relation to business relationships or transactions involving high-risk countries, pursuant to letter “f” of Article 22 of the law, the entities must implement the following enhanced vigilance measures toward the customer:

- a) to obtain additional information about the customer and the beneficial owner;
- b) to obtain additional information about the nature of the business relationship;
- c) to obtain information on the source of funds and the source of wealth of the customer and the beneficial owner;
- ç) to obtain information on the reasons for the intended or executed transactions;
- d) to obtain the approval of senior management for establishing or continuing the business relationships;
- dh) to carry out enhanced monitoring of business relationships by increasing the number, frequency, or periodicity of applied checks and the selection of transaction patterns that require further scrutiny.

2. Obtaining additional information includes, but is not limited to, the following:

- a) the identification and verification of the customer or the beneficial owner from open sources and independent sources to better understand the background, ownership, and financial situation of the customer or other parties to the transaction, or the reputation in the local market through media review<sup>3</sup>;
- b) obtaining information and verifying the source of funds or wealth of the customer and their beneficial owners, focusing on the information provided by data from banking and/or financial groups or from financial intelligence institutions;
- c) seeking additional information from the customer regarding the purpose and intended nature of the business relationship.

3. In addition to the above measures, entities shall apply one or more additional measures concerning customers or transactions involving high-risk countries:

- a) apply additional elements of enhanced due diligence;
- b) use enhanced mechanisms for reporting or systematic reporting of financial transactions to the person/structures responsible within the entity;
- c) restrict business relationships or transactions with individuals or natural/legal persons from high-risk countries.

### **Article 27**

## **Enhanced due diligence measures for complex transactions, with unusually high values, without an apparent economic or legal purpose**

1. Entities must pay special attention to all complex transactions with unusually high values for which there is no apparent economic or legal purpose and, at the same time, analyze the reasons and purpose for carrying out such transactions.

2. Entities, in order to analyze the reasons and purpose for carrying out such transaction(s), pursuant to point 7, of Article 8 of the law and for maintaining data for reaching written conclusions, must:

- a) request supporting documentation on the source of funds, property, and the customer's financial capabilities, such as:
  - i. employment contract;
  - ii. proof of payment;
  - iii. proof of social or health insurance contributions;

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<sup>3</sup> Raportet ndërkombëtare të vlerësimit të vendit përfshirë raportet e DASH-it, Indeksi i Bazelit, Raportet e BE-së, FMN-së, e të tjera.

- iv. contract of sale or lease, for movable or immovable property;
- v. donation contract;
- vi. legal instruments for acquiring property by inheritance or other similar documents;
- vii. other documents deemed necessary by the entity in accordance with the nature of the transaction and the customer's profile;
- b) collect information from open sources or special subscriptions for customers, such as:
  - i. searches on websites *web* through internet platforms<sup>4</sup>;
  - ii. written or audiovisual media, others;
- c) collect and verify the information obtained from the customer in public registers, such as:
  - i. the commercial register;
  - ii. the register of beneficial owners;
  - iii. the register of non-profit organizations;
  - iv. other registers to which the entities have access;
- ç) assess the financial capacity of the customer through documents provided by the customer, as well as public data in the commercial register, such as:
  - i. financial statements for commercial entities;
  - ii. dividend distribution decisions for owners;
  - iii. other relevant information.

3. Entities, during the analysis of complex transactions, of high value and unusual nature, which do not have a clear economic or legal purpose, must take into consideration the indicators reflected in Annex VI "Indicators for the analysis of high-value, unusual transactions without a clear economic and legal purpose," attached to and forming an integral part of this instruction, but not limited to them.

4. The entities retain the documentation and information obtained according to the above steps and attach them to the written conclusions. The management and retention of the documentation is carried out in accordance with Articles 36 and 37 of this instruction.

## CHAPTER IV REPORTING OBLIGATIONS

### Article 28

#### **Reporting of suspicious activities to the competent authority**

1. Entities submit a report to the competent authority, in which they present their suspicions in cases where they know or suspect that money laundering of the proceeds of a criminal offence or financing of terrorism or funds derived from criminal activity is being carried out, has been carried out, or is being attempted. Reporting is done by means of the (RAD) form immediately and no later than 72 hours.

This reporting is carried out after a full review of the suspicious elements and the data that the entities have at their disposal to justify it, regardless of the amount of the transaction/transactions.

2. When the entity suspects that the transaction may involve money laundering of the proceeds of a criminal offence, financing of terrorism, or funds derived from criminal activity, it must not execute the transaction, must immediately report the case to the competent authority, and request instructions on whether or not to perform the transaction. Within 48 hours of becoming aware, the competent authority responds, stating its position on authorizing the transaction or issuing a freezing order.

When the competent authority does not respond within the prescribed deadline, the entity may proceed with the execution of the transaction.

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<sup>4</sup> *Google* ose motor kërkimi të ngjashëm.

3. The (SAR) form must be accompanied by all the necessary information that supports the suspicions presented in the report, as well as allows for drawing the relevant conclusions, such as: the analysis carried out, the issuance of the bank account, identification documents, transfer data, contracts, other information, and must be sent in full electronically, as well as by official letter if electronic reporting is objectively impossible. Electronic reporting is carried out based on the standards, format, and access provided by the competent authority, according to the request made for this purpose to the entity.

4. In urgent cases, entities may transmit the information on the suspicious activity to the competent authority by telephone, subsequently fulfilling the obligations under points 1 and 3 of this Article.

#### Article 29

### **Reporting of cash transactions**

1. Entities, in accordance with point 3 of Article 12 of the law, are obliged to report to the competent authority, within the next working day from the date of execution of all cash transactions, with a value equal to or greater than 1,000,000 (one million) lek, or the equivalent in other foreign currencies, carried out as a single transaction or as several transactions linked to each other within 24 hours. Transactions carried out by public bodies or companies are exempt from this obligation.<sup>5</sup>

2. For the purpose of implementing point 1 of this Article, the entities subject to this instruction shall consider as carried out in cash any transaction not accompanied by a supporting document from a financial institution or other supporting documents.

3. Notary public entities are exempt from the reporting obligation within the deadlines specified in point 1 of this Article, exclusively only in those cases where the transaction for the transfer of ownership of immovable property is carried out through a financial institution, on a date later than the date of the conclusion of the notarial act, as provided for in the bylaws issued for the implementation of the rules for the handling of notary financial transactions.

4. The reporting by entities of transactions pursuant to this Article shall be carried out electronically, according to the standards and format determined by the competent authority.

5. Entities report electronically, based on the access provided by the competent authority upon request made for this purpose. In cases where this is not possible, such reporting may be carried out by official letter.

6. The competent authority confirms receipt of the reported data, if such confirmation is requested by the entity.

## CHAPTER V

### PREVENTIVE MEASURES TAKEN BY THE ENTITIES

#### Article 30

### **Internal regulations and instructions**

1. The entities subject to this instruction must draft regulations and/or internal instructions for the prevention of money laundering and terrorist financing, including, among others, the adoption of measures and procedures:

- a) regarding the customer acceptance policy;
- b) regarding the assessment and management of risk in business relationships, customers or transactions;
- c) regarding the implementation of measures for customer due diligence, simplified due diligence and enhanced due diligence in accordance with the level of risk;

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<sup>5</sup> Persona juridik publik.

- c) regarding the retention of data;
- d) regarding the reporting of suspicious activity and transactions above the reporting threshold, the training of their employees.

2. The entities must continuously update the regulations and internal instructions, also taking into consideration:

- a) legal amendments;
- b) national risk assessments;
- c) sectoral assessments or other similar data;
- c) the data that the entity itself possesses;
- d) recommendations of the competent authority and/or supervisory authorities;
- dh) as well as assessments or reports prepared by international organisations and authorities with competence in the field of prevention of money laundering and terrorist financing, regarding the risk posed by specific countries.

## Article 31

### **Risk assessment**

1. The entities implementing this instruction must identify, assess, and understand their risks of money laundering and terrorist financing, regarding:

- a) customers;
- b) countries or geographic areas;
- c) products;
- c) services;
- d) transactions;
- dh) distribution channels.

2. Entities must draft and document the risk assessment of money laundering and terrorist financing, and its approval is carried out at the management level.

3. All employees of the entity who have functional duties within the framework of the prevention of money laundering and terrorist financing are made familiar with the risk assessment document.

4. The risk assessment of money laundering and terrorist financing must undergo a periodic review, which among others is based on:

- a) changes in the activity of the entity;
- b) changes in the customer's risk profile;
- c) the introduction into use of new products, services, technologies, and distribution channels;
- c) legal or regulatory changes.

5. The risk assessment must be updated at least every two years or whenever the aforementioned factors dictate such a need.

6. The minimum factors that must be taken into consideration in the risk assessment are the purpose of establishing the business relationship, or the size of the transactions, the regularity or the duration of the business relationship.

7. During the process of drafting the risk assessment, entities must take into consideration:

- a) national risk assessments;
- b) sectoral assessments or other similar data;
- c) the recommendations of the responsible authority and supervisory authorities;
- c) as well as assessments or reports prepared by international organisations and authorities with competence in the field of prevention of money laundering and terrorist financing regarding the risk for specific countries.

## Article 32

### **Responsible structure**



1. The entities subject to this instruction must establish a responsible structure to prevent the use of the entity for money laundering and terrorist financing.

2. The entities must appoint a person responsible for the prevention of money laundering at the management levels in the head office and in every representative office, branch, subsidiary, or agency, to whom all employees report any fact that may constitute suspicion of money laundering or terrorist financing, and must establish appropriate management and compliance procedures within the entity and its branches.

3. The person responsible for the prevention of money laundering and terrorist financing must be a manager or employee with sufficient knowledge of the risk of exposure to money laundering and terrorist financing of the entity and must have the competence to make decisions that affect the exposure to risk, and is not required in all cases to be a member of the board of directors or the supervisory board.

4. The appointed responsible person at the management level in the head office, as provided in point 2 of this Article, is the person who sends the reports to the competent authority, in accordance with Article 12 of the law, and also responds to the requests of the competent authority.

5. In cases where the number of employees of the entities is less than three persons, the person responsible for the prevention of money laundering is the administrator or an authorized employee of the entity.

6. In cases where the entities under this instruction are self-employed individuals who do not employ other persons, for the purposes of implementing this instruction, they act in the capacity of the responsible structure.

7. When an individual, who falls under the categories provided in Article 3 of the law, exercises his professional activity as an employee of a legal person or a natural person trader, or has a contractual or subcontractual relationship with them, the person responsible for the prevention of money laundering is the employer.

### Article 33

#### **Centralized system for the registration and retention of data**

1. The entities must establish a centralized system which enables the registration, collection, analysis, control of data and transactions within the framework of the business relationship with the customer. In the centralized system, all transactions are registered, regardless of the manner in which they are carried out (such as in physical cash, through money or value transfer services or direct electronic transfers, acts of donation, exchange, etc.).

2. In the centralized system, the entities subject to this instruction for occasional customers shall register every transaction in an amount equal to or not less than 1,000,000 (one million) All or its equivalent in other foreign currencies, carried out in a single transaction or in several related transactions. If the transaction amount is not known at the time of the action, identification must be carried out as soon as the amount becomes known and the above-mentioned threshold is reached.

3. By way of exception, entities subject to this instruction that provide gambling services, casinos, and racetracks of any form, must also register in the centralized system every transaction in an amount equal to or greater than 100,000 (one hundred thousand) All or its equivalent in foreign currency.

4. The entities, if they consider it necessary, for the purpose of risk management, may also retain in their centralized systems the data on transactions below the thresholds provided in points 2 and 3 of this article.

5. In all cases, regardless of what is provided in the above points, data is registered in the centralized system when there are suspicions of money laundering, terrorist financing, or when the funds/property involved derive from criminal activity.

6. The centralized system must contain at least the data according to Annex IV “On the registration and retention of data on customers and transactions”, attached to this instruction, with the following elements:

- a) name (of the customer);
- b) surname;
- c) date of birth;
- d) place of birth;
- e) personal identification number (NID);
- f) type of document;
- g) name of the company;
- h) NIPT/NUIS;
- i) address;
- j) amount of the transaction;
- k) currency;
- l) type of transaction (e.g. deposit/withdrawal/transfer);
- m) date of the transaction;
- n) method of executing the transaction (e.g. *cash* (physical cash)/transfer);
- o) declared source of funds;
- p) other persons involved in the transaction, if any (with full particulars);
- q) for legal persons, the identifying data for the beneficial owners of the customer.

7. The identified data must be supported by supporting documentation and, if requested, made available to the competent authority, supervisory authorities, and auditors. Exempt from the requirement for supporting documentation are the data: address and declared source of funds. This exemption applies only to the retention of data for the purpose of the centralized system.

8. If these data are not kept in a dedicated electronic system, they must be capable of being processed, for example by means of Excel programs, *Access*, or other suitable technological programs for data retention.

9. The competent authority, for the purpose of verifying the data reflected in the centralized system, requires from the subject's subject to this instruction pursuant to Article 21/1 of the law, any information, data, or other supporting documents.

#### Article 34

##### **Trainings**

1. The subjects must periodically train their employees according to an annual training plan for the prevention of money laundering and terrorist financing, including familiarization with legal changes in this field, as well as the obligation of non-disclosure pursuant to Article 15 of the law.

2. The subjects, in implementation of this obligation, must keep at least the data on:

- a) the annual number of trainings planned and conducted;
- b) the number of employees trained, as well as their functions;
- c) the issues addressed therein.

3. These data are submitted to the competent authority, as well as to the supervisory authorities within the framework of on-site or remote inspections.

#### Article 35

##### **Internal control**

1. The subjects, in accordance with letter "dh" of Article 11 of the law, must take preventive measures to detect and correct identified deficiencies in order to monitor compliance with the obligations of the law and this instruction.

2. In cases where the reporting subjects are self-employed or do not employ other persons, for the purpose of implementing this article the administrator or his authorized representative acts in the capacity of internal control.

#### Article 36

##### **Administration of documentation**

1. The subjects to whom the implementation of this instruction applies must keep in the customer file the following documents:

- a) original;
- b) certified as true copies of the original;
- c) copies of these documents certified by the subject itself.

2. When documents are kept as copies certified by the subject itself, these documents must be stamped with the subject's seal and signed by the subject, certifying that they are identical to the original documents submitted by the customer, and must also contain the date of their production.

3. When the subject maintains an electronic archive, in addition to original electronic documents, the archive must also contain in electronic form copies certified by the subject itself, certifying that they are identical to the original documents submitted by the customer.

#### Article 37

##### **Obligations regarding the retention and preservation of data**

1. The subjects must retain the documents arising from the due diligence and enhanced due diligence process, account data, transaction data, correspondence with the customer, as well as the results of the conducted analyses for 5 years from the date of termination of the business relationship between the customer and the subject or from the date of the occasional transaction, but not more than 40 (forty) years from the date of each specific transaction or the date of collection of the documentation or the conduct of the analysis.

2. The subjects must keep registers for the data, reports, and documentation regarding domestic and international transactions, regardless of whether the transaction is conducted on behalf of the customer or on behalf of third parties, together with all supporting documentation, including account files and business correspondence, for 5 (five) years from the date of termination of the business relationship between the customer and the subject or from the date of the occasional transaction, but not more than 40 (forty) years from the date of each specific transaction or the date of collection of the documentation, or the conduct of the analysis.

3. The subjects must retain data regarding transactions, including those specified in Article 10 of the law, with all necessary details to allow for the reconstruction of the complete transaction cycle, in order to provide information to the responsible authority and other competent authorities, on the basis of the law and bylaws issued in its implementation. This information is retained for 5 (five) years from the date of termination of the business relationship between the customer and the subject or from the date of the occasional transaction, but not more than 40 (forty) years from the date of each specific transaction or the date of collection of the documentation, or the conduct of the analysis.

4. The subjects are required to retain the mandatory data to be kept on the transactions carried out and on their customers in an accurate and chronological manner, without corrections, so as to enable adequate control by the responsible authority, supervisory/licensing authorities and auditors, if required.

5. The subjects must retain documentation regarding identification, accounts, as well as correspondence with the customer. The subjects must also retain data on the analyses they have conducted to assess the classification of business relationships on a risk-based basis, as well as analyses of the monitoring process.

6. The documentation shall be retained for 5 years from the date of termination of the business relationship between the customer and the subject or from the date of the occasional transaction, but not more than 40 (forty) years from the date of each transaction or the date of collection of the documentation, or the conducting of the analysis.

7. At the request of the responsible authority and other competent authorities, the documentation shall also be retained for an additional 5 (five) years from the date of termination of the business relationship between the customer and the subject or from the date of the occasional transaction, but not more than 40 (forty) years from the date of each individual transaction or the date of collection of the documentation, or the conducting of the analysis.

8. The documentation provided for in this article shall be retained in written or electronic form, depending on the manner of its creation.

9. The data obtained for customers (whether permanent or occasional) by the subjects and the measures taken by them in implementation of the law, shall be documented, regularly administered, and made available to the responsible authority upon its request, in accordance with Article 21/1 of the law.

#### Article 38 **Final provisions**

1. The subjects defined in Article 3 are charged with the implementation of this instruction and the annexes as an integral part thereof.

2. The responsible authority, the Financial Intelligence Agency (FIA), is charged with monitoring the implementation of this instruction.

3. This instruction, together with Annexes I, II, III, and IV and the relevant instructions, shall be the only acceptable standards for reporting to the responsible authority. If necessary, for the purposes of data administration, uniformity of reporting for specific types of subjects, or interconnection with other databases, the responsible authority may add, reduce, or amend particular fields of the annexes that are part of this instruction.

4. Instruction no. 29, dated 31.12.2012, “On the methods and procedures of reporting for non-financial liberal professions”, as amended, of the Minister of Finance, is repealed.

5. This instruction enters into force after its publication in the Official Gazette.

MINISTER OF FINANCE  
**Petrit Malaj**

ANNEX I  
SUSPICIOUS ACTIVITY REPORT (SAR)

1. Zgjidhni kutin me kombinime:	
<input type="checkbox"/> Pastrim parash	<input type="checkbox"/> Financim i terrorizmit
<input type="checkbox"/> Pamundësi ushtrimi i vigjilencës së duhur	<input type="checkbox"/> Pamundësi ushtrimi i vigjilencës së zgjeruar
2. Zgjidhni kutin me kombinime:	
<input type="checkbox"/> Raport i ri	<input type="checkbox"/> Raportimet të lidhura
<input type="checkbox"/> Transfertë në Tentativë	<input type="checkbox"/> Përmirëson një raport të mëparshëm;
	<input type="checkbox"/> Blokim (48 Orë)
<b>PJESA I. INFORMACION MBI AKTIVITETIN E DYSHIMTË</b>	
1. Statusi ligjor i personit a. <input type="checkbox"/> Individ; b. <input type="checkbox"/> Person fizik tregtar c. <input type="checkbox"/> Person juridik d. <input type="checkbox"/> Shoqëri Anonime e. <input type="checkbox"/> OJF; f. <input type="checkbox"/> Organizime Ligjore g. <input type="checkbox"/> SHPK (Shoqëri me përgjegjësi të kufizuar) h. <input type="checkbox"/> Kujdestar i. <input type="checkbox"/> Dege e shoqërisë së huaj; j. <input type="checkbox"/> PEP; k. <input type="checkbox"/> Të tjera 2. a) Emri: _____ b) Mbiemri: _____ 3. Datëlindja/data e regjistrimit: _____ 4. Shtetësia: a. <input type="checkbox"/> Shqiptar b. <input type="checkbox"/> I huaj c. <input type="checkbox"/> Pa shtetësi 5. Vendlindja: _____ 6. Adresa/ Vendbanimi i përhershëm _____ 7. Vendbanimi i përkohshëm (nëse ka): _____ 8. Gjinia : a. Mashkull <input type="checkbox"/> b. Femër <input type="checkbox"/>	
9. Dokumenti i identifikimit: a) <input type="checkbox"/> Letërnjoftim b) <input type="checkbox"/> Pasaportë 10. Numri i dokumentit: _____ 11. Nr. Personal i identifikimit (NID): _____ 12. Autoriteti lëshues: _____	
13. Emërtimi i Subjektit: _____ 14. NUIS/NIPT: _____ 15. Selia e themelimit: _____ 16. Adresa e përkohshëm (nëse ka): _____ 17. Punësim/lloji i aktivitetit: _____ 18. Nëse është PEP: <input type="checkbox"/>	
<b>PJESA II. PERSONAT E PËRFSHIRË</b> <div style="float: right; border: 1px solid black; padding: 2px 5px; color: white; background-color: #0056b3;">Shto</div>	
<b>PJESA III. VEPRIMI FINANCIAR I KRYER</b>	
1. Numri i transaksioneve: _____ 2. Numri i llogarisë/ve: _____ 3. Data e kryerjes së transaksionit: _____ 4. Monedha: Lek <input type="checkbox"/> Euro <input type="checkbox"/> USD <input type="checkbox"/> GBP <input type="checkbox"/> JPY <input type="checkbox"/> CHF <input type="checkbox"/> CAD <input type="checkbox"/> Tjetër <input type="checkbox"/> 5. Shuma e transaksionit: _____	
<b>PJESA IV. SHPJEGIME/PËRSHKRIME TË AKTIVITETIT TË DYSHIMTË</b>	

Shpjegime/ përshkrime të aktivitetit të dyshimtë: <i>Shënim: Të strukturohet në disa pika si më poshtë:</i> 1. Përshkrimi i profilit të subjektit të RAD; 2. Analiza totale e rastit duke përfshirë dhe analizë të historikut të transaksioneve; 3. Anomalitë e vërejtura në transaksion, veprime apo veprimtari të dyshimta; 4. Dyshimet për rastin; 5. Lidhje me raste të tjera të raportuara të dyshimta, nëse ka; 6. Nëse kërkohen udhëzime nga AIF; 7. Të dhëna apo informacione të tjera me interes.	
PJESA V. LISTA E DOKUMENTEVE SHOQËRUESE	
PJESA VI. INFORMACION MBI SUBJEKTIN RAPORTUES	
Emri: _____	Data e raportimit: ____-____-____
Personi përgjegjës: _____	Tel. _____
Firma: _____	E-mail _____
Aprovuesi: _____	Adresa: _____

## INSTRUCTIONS FOR COMPLETING THE “SUSPICIOUS ACTIVITY REPORT” (SAR) FORM

### INTRODUCTION

The “Suspicious Activity Report” (SAR) is the form attached to this instruction, through which entities report to the competent authority any suspicious transaction and activity. This form is completed by the entities in cases where they know or suspect that money laundering of the proceeds of a criminal offence or financing of terrorism is being carried out, has been carried out, or is being attempted, or the funds involved derive from criminal activity. Reporting is done through the SAR form immediately and no later than 72 hours.

1. A cross is marked in the relevant box as appropriate if the activity is suspected to involve money laundering, financing of terrorism, or the funds derive from criminal activity.

2. A cross is marked in the relevant box as appropriate if a new report is being sent to the FIU, a new transfer attempt, or if an amendment to a previous report is being made.

### PART I INFORMATION ON SUSPICIOUS ACTIVITY

1. **Legal status of the person:** By selecting one of the boxes, the reporting entity provides information on the legal status of the person(s) involved in the suspicious activity, as appropriate: individual, natural person trader, legal person, joint-stock company, NGO, legal arrangements, LLC (limited liability company), guardian, branch of a foreign company.

2. **First name, last name:** for the individual, write the first name and last name.

3. **Date of birth/date of registration (dd.mm.yyyy):** if the person in whose name the transaction(s) is carried out is an individual, write the date of birth; otherwise, write the date of registration of the company. The date is written in eight-digit format. The first two digits indicate the calendar day of the month, the next two indicate the calendar month, and the last four indicate the year of birth. Zero (0) must precede any single-digit number. For example, if an individual's date of birth is 3 April 1978, in the report it should be written in the format 03.04.1978.

4. **Nationality:** the nationality of the person carrying out the transaction is written (to be filled in for natural persons).

5. **Place of birth:** write the place (jurisdiction) where the person was born.

6. **Permanent address/place of residence:** write the address declared by the subject or recorded in the documents submitted by them.

7. **Temporary place of residence (if any):** to be filled in if the person has a place where they are located to carry out specific work or duties, to attend a school or specific course, for medical treatment, to serve a criminal sentence, and for other cases of this nature.

8. **Gender: a) male; b) female:** mark an X in the appropriate box according to whether the individual is male or female.

9. **Identification document:** a) ☐ entity card; b) ☐ passport;

Mark an X in the appropriate box according to the type of document used for identifying the person.

10. **Document number:** here the number of the document used for identification is written.

11. **Personal identification number (NID):** here the personal identification number is written.

12. **Issuing authority:** here the state authority that issued the document used to identify the person is written.

13. **Name of the subject:** here the name of the subject is written.

14. **NUIS/NIPT:** the unique identification number of the subject or the identification number of the taxable person is written.

15. **Registered office:** the place of the registered office of the customer is completed according to the documents submitted by him.

16. **Temporary address (if any):** completed if the person has a place of activity different from the registered office address.

17. **Employment/type of activity:** a description is given of the employment or type of activity of the person involved in the suspicious activity.

18. **If PEP:** a cross is marked in the relevant box if the subject is a politically exposed person.

## PART II PERSONS INVOLVED

In this part of the report, data is provided about the persons involved in the transaction.

## PART III FINANCIAL ACTION TAKEN

1. **Number of transactions:** the number of transactions carried out or attempted is written.

2. **Account number(s):** the account number(s) involved in the suspicious activity are written.

3. **Date of execution of the transaction:** the transaction date is written in eight-digit format. The first two digits indicate the calendar day of the month, the second two indicate the calendar month, and the last four indicate the year. A zero (0) must precede every single-digit number. For example, if the transaction date is 5 May 2008, 05.05.2008 must be written in the report.

4. **Currency:** a cross is placed in one of the boxes according to the type of currency used for the execution of the transaction, e.g. LEK, USD, GBP, EUR, etc.

5. **Transaction amount:** the amount is written for a single transaction or for several transactions linked to each other.

## PART IV EXPLANATIONS/DESCRIPTIONS OF SUSPICIOUS ACTIVITY

In this part of the report, the reporting subject provides a description of the activity and the reasons for suspicion. The information provided should be structured in several points, including the description of the profile of the subject of the FIU; the overall analysis of the case, including also an analysis of the transaction history; observed anomalies in the transaction, suspicious actions

or activities; suspicions regarding the case; links with other reported suspicious cases, if any; whether guidance from the FIU is requested or other relevant data or information is of interest.

The character limit is set to ensure the updating of large volumes of information that are entered into databases, such as tables, figures; materials exceeding this limit may be sent zipped to Part V.

## PART V LIST OF ACCOMPANYING DOCUMENTS

In this part of the report, the accompanying documents are uploaded in zipped format (up to 10 MB ZIP).

## PART VI INFORMATION ON THE REPORTING SUBJECT

In this part of the report, the information regarding the reporting subject is entered, such as: the name of the entity, the name and signature of the person responsible for the prevention of money laundering, the name of the person approving the RAD report (in cases where this is different from the person responsible), the reporting date in the format (dd.mm.yyyy), as well as the telephone number/address of the *email*-it, as well as the address of the responsible person through whom the competent authority may provide further instructions regarding the submitted report.

## ANNEX II Cash Transaction Report" (CTR) In an amount equal to or greater than 1 million (1,000,000) lek

1. Zgjidhni kutinë e duhur:	
<input type="checkbox"/> Raporti i Ri;	<input type="checkbox"/> Përmirëson një transaksion të mëparshëm;
<input type="checkbox"/> Transaksione të lidhura	
<b>PJESA I. PERSONAT E PËRFSHIRË NË TRANSAKSION</b>	
<b>SEKSIONI A. PERSONI QË KRYEN TRANSAKSIONIN</b>	
1. Statusi ligjor i personit: a. <input type="checkbox"/> Individ; b. <input type="checkbox"/> Person fizik tregtar; <input type="checkbox"/> c. Person juridik d. <input type="checkbox"/> Shoqëri Anonime e; OJF <input type="checkbox"/> f. Organizime Ligjore <input type="checkbox"/> g. <input type="checkbox"/> SHPK (Shoqëri me përgjegjësi të kufizuar) <input type="checkbox"/> h. Kujdestar <input type="checkbox"/> i. Dege e shoqërisë së huaj <input type="checkbox"/> j. SHKK <input type="checkbox"/> k. Tjetër <input type="checkbox"/> 2. a) Emri: _____ b. Mbiemri: _____ 3. Datëlindja/ data e regjistrimit: _____ 4. Shtetësia: a. <input type="checkbox"/> Shqiptar <input type="checkbox"/> b. I huaj <input type="checkbox"/> c. Pa shtetësi 5. Vendlindja: _____ 6. Adresa: _____ 7. Gjinia: : a. <input type="checkbox"/> Mashkull; b. <input type="checkbox"/> Femër	
8. Dokumenti i identifikimit: a) <input type="checkbox"/> Letërnjoftim; b) <input type="checkbox"/> pasaportë; c) <input type="checkbox"/> Nr. Personal(NID) 9. Numri i dokumentit: _____ 10. Autoriteti lëshues: _____	
11. Emërtimi i Subjektit: _____ 12. NUIS/NIPT: _____ 13. Selia e themelimit: _____ 14. Adresa e përkohshëm (nëse ka): _____ 15. Punësim/lloji i aktivitetit: _____	
<b>SEKSIONI A.1-PERSONI I PËRFSHIRË NË KRYERJEN E TRANSAKSIONIT</b>	
<a href="#" style="color: blue; text-decoration: none;">Shto</a>	
<b>PJESA II. PERSONI/AT PËRFITUES</b>	
<b>SEKSIONI B. PERSONI/AT PERFITUES</b>	



1. Statusi ligjor i personit: a. <input type="checkbox"/> Individ; b. <input type="checkbox"/> Person fizik tregtar c. <input type="checkbox"/> Person juridik; d. <input type="checkbox"/> Shoqëri Anonime; e. <input type="checkbox"/> OJF f. Organizime Ligjore <input type="checkbox"/> g. <input type="checkbox"/> SHPK (Shoqëri me përgjegjësi te kufizuar) h. <input type="checkbox"/> Kujdestar <input type="checkbox"/> i. Dege e shoqërisë së huaj <input type="checkbox"/> j. SHKK <input type="checkbox"/> k. Tjetër <input type="checkbox"/>	
2. a) Emri: _____ b. Mbiemri: _____ 3. Datëlindja/data e regjistrimit: _____. _____. _____. 4. Shtetësia: a. <input type="checkbox"/> Shqiptar b. <input type="checkbox"/> I huaj; 5. Vendlindja: _____ 6. Adresa : _____ 7. Gjinia: : a. <input type="checkbox"/> Mashkull b. <input type="checkbox"/> Femër	
8. Dokumenti i identifikimit: a) <input type="checkbox"/> Letërnjoftim; b) <input type="checkbox"/> pasaportë 9. Numri i dokumentit: _____ 10. Nr. Personal i identifikimit (NID): _____ 11. Autoriteti lëshues: _____	
12. Emërtimi i Subjektit: _____ 13. NUIS/NIPT: _____ 14. Adresa e themelimit: _____ 15. Adresa e përkohshëm (nëse ka): _____ 16. Punësim/lloji i aktivitetit: _____	
<b>SEKSIONI B.1- PERSONI/AT PËRFITUES I PËRFSHIRË</b>	
<a href="#" style="background-color: #007bff; color: white; padding: 2px 5px; border-radius: 3px;">Shto</a>	
<b>PJESA III. TRANSAKSIONI FINANCIAR I KRYER</b>	
1. Numri i transaksioneve: _____ 2. Lloji i transaksionit a) <input type="checkbox"/> Depozitë Kredi b) <input type="checkbox"/> Tërheqje cash c) <input type="checkbox"/> Derdhje cash; d) <input type="checkbox"/> Pagesa Këmbim valutor e) <input type="checkbox"/> Shitje/Blerje letrash me vlerë f) <input type="checkbox"/> Shitje/Blerje aksionesh g) <input type="checkbox"/> Pasuri e blerë/shitur h) <input type="checkbox"/> Shitje kuotash; i) <input type="checkbox"/> Kalim Fondesh j) <input type="checkbox"/> Huadhënie k) <input type="checkbox"/> Huamarrje l) <input type="checkbox"/> Dhurim m) <input type="checkbox"/> Tjetër 3. Data e transaksionit: _____. _____. _____. 4. Monedha: Lek <input type="checkbox"/> Euro <input type="checkbox"/> USD <input type="checkbox"/> GBP <input type="checkbox"/> JPY <input type="checkbox"/> CHF <input type="checkbox"/> CAD <input type="checkbox"/> Tjetër 5. Shuma e transaksionit: _____ 6. Shënim për transaksionin: _____	
<b>PJESA IV. INFORMACION MBI SUBJEKTIN RAPORTUES:</b>	
Emri: _____ Data e raportimit: _____. _____. _____. Personi përgjegjës: _____ Tel. _____ Firma: _____ Email: _____ Aprovuesi: _____ Adresa: _____	

**INSTRUCTIONS**  
**ON THE METHOD OF COMPLETING THE REPORTING FORM FOR CASH**  
**TRANSACTION REPORT” (CTR)**  
 (For transactions in cash, in an amount equal  
 or greater than 1 million All)

The reporting form for transactions in physical cash (RTPF) is the form attached to this instruction.

Through this form, reporting by the entities is made for the transaction(s) in physical cash, in an amount equal to or greater than 1 million All (or the equivalent in another currency).

Make a cross in the box(es) according to the case of the report being made (e.g.: new report, correction of a previous report or related transactions conducted within the period specified in this instruction).

**PART I**

## PERSONS INVOLVED IN THE TRANSACTION

### Section A. To be completed in all cases

If the person carries out a transaction on their own behalf, complete section A and leave section B blank.

If an individual carries out a transaction on his own behalf and on behalf of other person(s), complete section A with the following data for the person carrying out the transaction and section B for the person on whose behalf the transaction is being carried out.

1. **Legal status of the person:** by choosing one of the boxes, the reporting entity provides information on the legal status of the person(s) involved in the suspicious activity, as appropriate: individual, sole proprietor, legal person, joint stock company, public entity, NGO, legal arrangements, LLC (limited liability company), guardian, branch of a foreign company.

2. **First name, last name:** for the individual, write the first name and last name.

3. **Date of birth/registration date (dd.mm.yyyy):** if the person on whose behalf the transaction(s) is being carried out is an individual, write the date of birth; otherwise, write the date of registration of the company. The date should be written in eight-digit format. The first two digits indicate the calendar day of the month, the next two indicate the calendar month, and the last four indicate the year of birth. Zero (0) must precede any single digit. For example, if the date of birth of an individual is April 3, 1978, it should be written in the report in the format 03.04.1978.

4. **Citizenship:** write the citizenship of the person carrying out the transaction (to be filled in for natural persons).

5. **Place of birth:** write the place (jurisdiction) where the person was born.

6. **Address:** write the address declared by the subject or recorded in the documents submitted by him.

7. **Gender: a) male; b) female:** mark a cross in the appropriate box according to whether the individual is male or female.

8. **Identification document:** a) ☐ identity card; b) ☐ passport; c) ☐ personal number (NID).

Mark a cross in the appropriate box according to the type of document used for the identification of the person.

9. **Document number:** write here the number of the document used for identification, as well as the personal number.

10. **Issuing authority:** here write the state authority that issued the document used for the identification of the person.

11. **Name of the subject:** here write the name of the subject.

12. **NUIS/NIPT:** write the unique identification number of the subject or the identification number of the taxable person.

13. **Registered office:** write the full address of the headquarters of the person involved in the suspicious activity.

14. **Temporary address (if any):** to be completed if the person has a place of activity different from the registered office address.

15. **Employment/type of activity:** a description is given of the employment or type of activity of the person involved in the suspicious activity.

### Section A.1. Person involved in carrying out the transaction

In this section, information is added for other persons who are involved as parties with the person conducting the reported transaction.

## PART II BENEFICIARY/IES

In this section, the reporting entity provides complete information about the beneficiary in cases where they are different from the person in sections A and B.

### Section B. Person on whose behalf the transaction is carried out

This section is to be completed in all cases where the person(s) carrying out the transaction(s) are different from those on whose behalf the transaction(s) is/are carried out (e.g. if an employee of entity X makes a deposit on behalf of the company, the latter must be identified in section B and the employee carrying out the transaction must be identified in section A).

Entities must complete all data according to the method of completion described above in section A.

1. **Legal status of the person:** by selecting one of the boxes, the reporting entity provides information on the legal status of the person(s) involved in the suspicious activity, as applicable: individual, natural person entrepreneur, legal person, joint stock company, public entity, NGO, legal arrangements, LLC (limited liability company), guardian, branch of a foreign company.

2. **First name and last name:** for an individual, write the first name and last name.

3. **Date of birth/registration date (dd.mm.yyyy):** if the person in whose name the transaction(s) is carried out is an individual, write the date of birth; otherwise, write the registration date of the company. The date must be written in an eight-digit format. The first two digits indicate the calendar day of the month, the next two indicate the calendar month, and the last four indicate the year of birth. Zero (0) must precede any single digit. For example, if the date of birth of an individual is April 3, 1978, it should be written in the report as 03.04.1978.

4. **Citizenship:** write the citizenship of the person conducting the transaction (to be filled in the case of natural persons).

5. **Place of birth:** write the place (jurisdiction) where the person was born.

6. **Address:** write the address declared by the subject or recorded in the documents submitted by him.

7. **Gender: a) male; b) female:** place an X in the appropriate box according to whether the individual is male or female.

8. **Identification document:** a) ☐ identity card; b) ☐ passport; c) ☐ personal number (NID).

Place an X in the appropriate box according to the type of document used to identify the person.

9. **Document number:** write here the number of the document used for identification.

10. **Personal identification number (NID):** write here the personal identification number.

11. **Issuing authority:** write here the state authority that issued the document used to identify the person.

12. **Name of the entity:** write here the name of the entity.

13. **NUIS/NIPT:** write the unique identification number of the entity or the identification number of the taxable person.

14. **Registered address:** write the full address of the head office of the person involved in the suspicious activity.

15. **Temporary address (if any):** complete if the person has a place of activity different from the registered address.

16. **Employment/type of activity:** give the description of the employment or type of activity of the person involved in the suspicious activity.

#### **Section B.1. Beneficiary person(s)**

In this section, enter the data for the persons who are beneficiaries of the reported transaction.

### **PART III FINANCIAL TRANSACTION CARRIED OUT**

1. **Number of transactions:** write the number of transactions carried out for a single transaction or for several transactions linked to each other, the aggregated amount of which is equal to or exceeds the value of 1 million ALL or the equivalent in foreign currency. The time period for calculating linked transactions is 24 hours.

2. **Type of transaction:** mark the type of transaction with a cross (e.g. credit deposit, withdrawal *cash*, deposit *cash*, currency exchange payment, etc.).

3. **Date of transaction:** enter the date the transaction was carried out in the format day, month, year (dd.mm.yyyy). A zero (0) must precede any single digit (e.g. if the transaction date is April 5, 2009, the report must state 05.04.2009.). For entities that also record the time of the transaction, enter the time as well.

4. **Currency:** place a cross in one of the boxes according to the type of currency used to carry out the transaction (e.g. ALL, USD, GBP, EUR, etc.).

5. **Transaction amount:** write in full the transaction conducted in physical cash in ALL for a single transaction or for several linked transactions, the aggregate amount of which equals or exceeds the value of 1 million ALL or the equivalent in foreign currencies. The time frame for calculating linked transactions is 24 hours.

6. **Note regarding the transaction:** in this part of the report the reporting entity provides notes regarding the transaction.

#### PART IV INFORMATION REGARDING THE REPORTING ENTITY

In this section, information is completed regarding the reporting entity, such as: name, surname for natural persons (or the full legal name of the company for legal persons), name of the person responsible for the prevention of money laundering, the date of reporting in the format (dd.mm.yyyy), the phone number/email address of the responsible person through whom the competent authority can provide further instructions in relation to the submitted report, the name of the approver, as well as the full address of the entity.

#### ANNEX III “Remote Control Report” (RCR)

NAME OF THE REPORTING ENTITY:

CATEGORY OF THE ENTITY: \_\_\_\_\_  
DESCRIPTION OF THE ENTITY'S ACTIVITY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

NUMBER OF THE ENTITY'S EMPLOYEES: \_\_\_\_\_  
NAME OF THE RESPONSIBLE PERSON/POSITION:  
Tel.: ..... Fax: ..... Email: .....

I. Preventive measures taken by the entity in the context of preventing money laundering and terrorist financing:

1. Do you have internal regulations?

Yes \_\_\_ No \_\_\_

*If Yes, attach copies of the regulation.*

2. Have you conducted trainings for employees?

Yes \_\_\_ No \_\_\_

*If Yes:*

*- list the training topics and the number of employees who have attended the training;*

*- attach copies of the topics covered in the conducted trainings.*

3. Number of inspections conducted by internal control (if any)?

Yes \_\_\_ No \_\_\_

*If Yes, attach copies of the inspection reports (internal or external audit reports, etc.) including:*

*- deficiencies identified by them (if any);*

*- measures taken to follow up on recommendations or identified findings.*

II. Explain the method of control and verification of the list of designated persons and the respective measures taken in implementation of:

- Law No. 157/2013, "On measures against the financing of terrorism", as amended;

- Law No. 72/2019, "On international restrictive measures in the Republic of Albania", as amended.

III. Reports submitted by the entity at a statistical level:

Record the number of RTPF sent to the responsible authority: \_\_\_\_\_

Record the number of RAD sent to the responsible authority: \_\_\_\_\_

NAME OF THE RESPONSIBLE PERSON: _____  SIGNATURE: _____	DATE: _____._____._____;
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### INSTRUCTIONS FOR THE COMPLETION OF THE DESK REVIEW REPORT

The "Desk review report" is the form attached to this instruction and is completed by the entities upon request of the responsible authority with data on the measures taken for the implementation of the requirements of Law No. 9917, dated 19.5.2008, "On the prevention of money laundering and financing of terrorism", as amended, Law No. 157/2013, "On measures against the financing of terrorism", as amended, and Law No. 72/2019, "On international restrictive measures in the Republic of Albania.", as amended.

The completed form and the attached documentation are sent to the Financial Intelligence Agency (FIA), within the deadlines specified in the request.

**Name of the reporting entity:** The full name of the reporting entity is written.

**Category of the entity:** In this section of the report, the category to which the entity belongs is indicated based on Article 3 of Law No. 9917/2008, as amended.

**Description of the entity's activity:** in this section of the report the field of activity of the entity is specified.

**Address:** The full address of the reporting entity is written.

**Number of employees:** In this section, the number of employees of the entity is provided, substantiated by the relevant documentation.

**Name of the responsible person/position:** The name of the person responsible for the prevention of money laundering and terrorist financing, and the proliferation of weapons of mass destruction in the reporting entity, as well as their position in the entity's hierarchy, is written.

Additionally, their information such as telephone/fax number and email address is provided.

**Preventive measures taken by the entity under the Law on the Prevention of Money Laundering and Terrorist Financing:** In this section of the report, the reporting entity provides an overview of the measures taken to implement the law (primarily Article 11 of Law no. 9917/2008, "Preventive Measures") and bylaws. This is substantiated with the relevant documentation that must accompany this report.

**Internal regulations:** The entity indicates whether it has approved regulations within the framework of the obligations of Law no. 9917/2008, as amended, substantiating this with the relevant documentation that must accompany the completion of this report.

**Staff training:** The entity may describe the trainings conducted for the staff and the number of staff members who participated in the training, as well as indicate whether it has submitted any request for training and assistance from the FIA. The entity accompanies the completion of this report by substantiating it with the relevant documentation.

**The method of monitoring and verifying the list of designated persons and the corresponding measures taken:** In this part of the report, the entity explains the method of monitoring and verifying the list of designated persons and the measures taken on the basis and implementation of Law 157/2013, “On measures against the financing of terrorism”, as amended (mainly focused on Articles 10–10/1), and Law no. 72/2019, “On international restrictive measures in the Republic of Albania.”, as amended (mainly focused on Articles 8–11).

**Reports made by the entity:** The entity’s data are recorded for reports submitted to the Financial Intelligence Agency (e.g. the number of RTPF and RAD reports).

**Name of the responsible person:** The name of the person responsible for the prevention of money laundering is recorded.

**Signature:** The report is signed by the person responsible for the prevention of money laundering before being sent to the “competent authority”.

**Date:** The entity records the date of submission of the report to the “competent authority”, which must be written in eight digits. The first two indicate the calendar day of the month, the next two indicate the calendar month, and the last four indicate the year. Zero (0) must precede any single digit. For example, if the date is April 3, 2003, 03.04.2003 must be written in the report.

#### ANNEX IV ON THE REGISTRATION AND RETENTION OF DATA ON CUSTOMERS AND TRANSACTIONS

The following data are the essential and mandatory information that the entity must include in the centralized system.

The entity may add other data that may be related to the nature or specific characteristics of its activity.

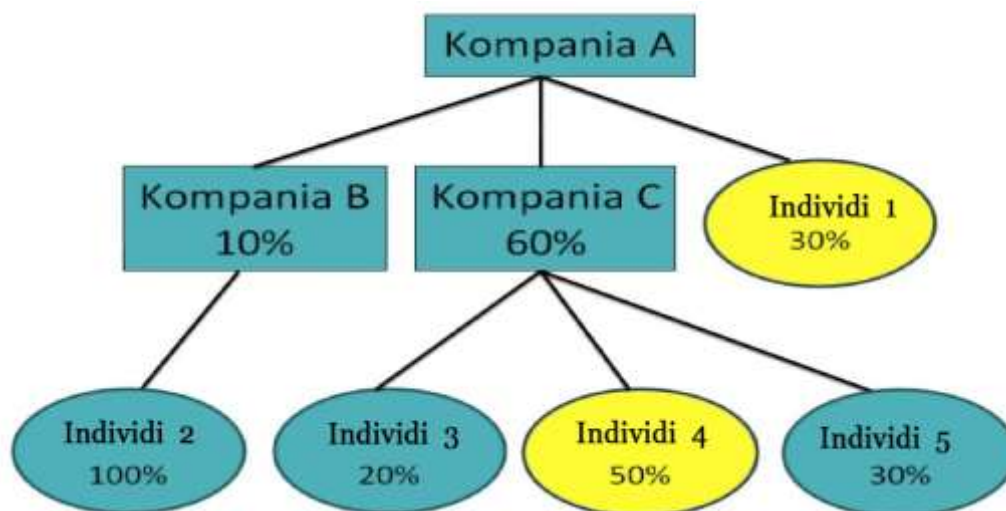
Name (of the customer or beneficial owner)
Surname
Date of birth
Place of birth
Personal identification number (NID)
Type of document
Name of the company
NIPT/NUIS
Address
Amount of the transaction
Currency
Type of transaction (e.g.: deposit/withdrawal/transfer)
Date of the transaction
Method of carrying out the transaction (e.g. <i>cash</i> (physical cash)/transfer)
Declared source of funds
Other persons involved (with full particulars)
Identifying data of the beneficial owner of the customer

## ANNEX V

### GUIDING EXAMPLES FOR DETERMINING THE BENEFICIAL OWNER

Below are some examples provided for the entities subject to this instruction, as an indicative resource for them, during the process of identifying and verifying the beneficial owner or owners of their customers.

#### *Example 1*

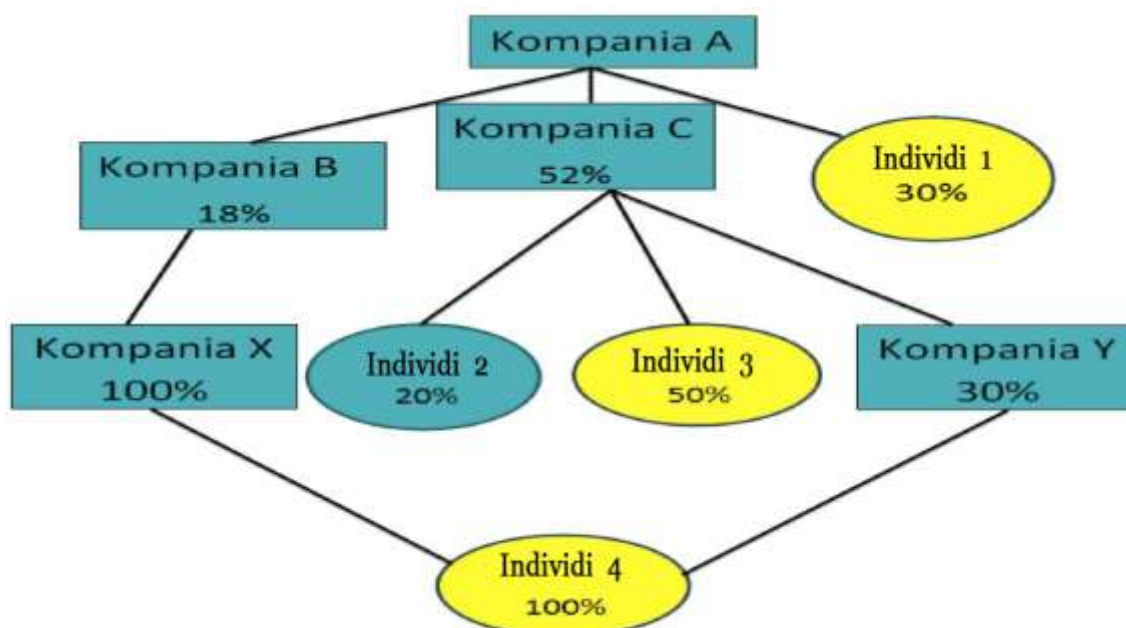


Entities are required to identify the individuals who directly or indirectly own 25% or more of the shares in company A.

At the first level, individual 1 owns 30% of the shares in company A and consequently is the beneficial owner.

At the second level, only individual 4 is the beneficial owner, as he ultimately owns 30% of the shares in company A (since he owns 50% of the shares in company C, which in turn owns 60% of the shares in company A). Individuals 2, 3, and 5 own 10%, 12%, and 18% of the shares in company A, respectively, so it is not necessary for them to be identified.

#### *Example 2*



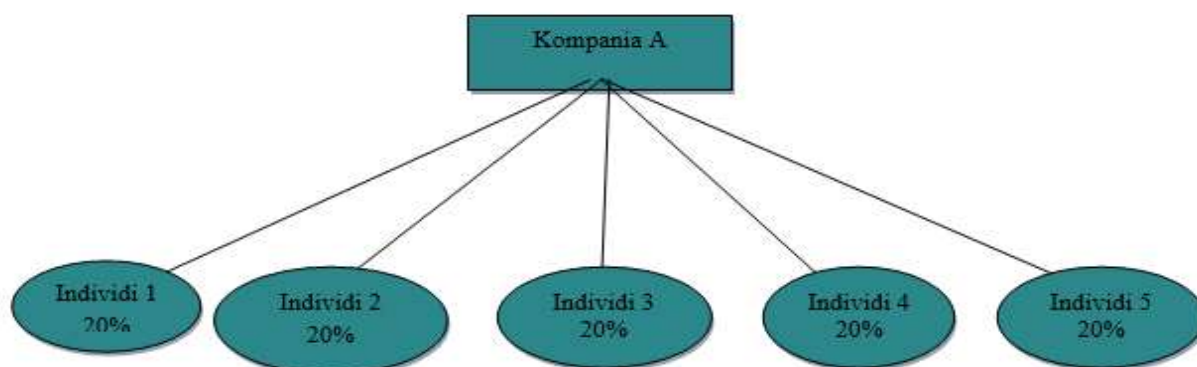
Entities are required to identify the individual who ultimately owns 25% or more of the shares in company A.

At the first level, individual 1 owns 30% of the shares in company A and consequently is the beneficial owner.

At the second level, only individual 3 is the beneficial owner as he ultimately owns 26% of the shares in company A (since he owns 50% of the shares in company C, which in turn owns 52% of the shares in company A).

At the third level, individual 4 is the beneficial owner, as he ultimately owns 33.6% of the shares in company A (since he owns 18% of the shares in company A through companies B and X, as well as 15.6% of the shares in company A through company C and company Y).

#### *Example 3*



In the case where ownership is dispersed and no partner/shareholder owns 25% or more of the shares, the legal representative of the company will be registered as the beneficial owner.

In the case where ownership is dispersed and no partner/shareholder owns 25% or more of the shares, the person at the highest level of management of the company will be registered as the beneficial owner.

#### *Example 4*

In cases where the customer or beneficial owner is a joint stock company listed on a recognised exchange and is subject to reporting obligations to a regulatory authority, the legal representatives of the entity listed on the exchange are registered as beneficial owners.

For the purposes of this instruction, a recognised financial exchange shall be considered to be



the exchanges of the member countries of the Organisation for Economic Co-operation and Development (OECD), as well as those of Albania.

## ANNEX VI

### INDICATORS FOR THE ANALYSIS OF COMPLEX, HIGH-VALUE, UNUSUAL TRANSACTIONS WITHOUT AN OBVIOUS ECONOMIC OR LEGAL PURPOSE

Entities must take into account the following indicators when analysing complex, high-value, and unusual transactions that do not have an obvious economic or legal purpose, but not limited to them, as follows:

1. The transaction is considered to be complex in cases where:
  - a) the type of transaction is clearly inconsistent with the size or activity of the legal or natural person, or the age of the customer;
  - b) the transactions are unusual due to their size, nature, frequency, or manner of execution;
  - c) there are visible and significant discrepancies between the declared price of movable or immovable property contracts and the actual values in accordance with market reference prices;
  - c) the business relationship involves transactions that are not consistent with those declared by the customer, such as: private financing, use of bearer cheques, or frequent or considerable cash payments, especially if such transactions are not in line with the economic profile of the individual or the company;
  - d) the customer does not provide logical explanations for the contribution of a substantial amount of money as collateral given for borrowing, instead of the use of these funds;
  - dh) the transfer of immovable property will be carried out by claiming prior payment with precious metals or cryptocurrencies or monetary obligations, without supporting documents.
2. The transaction is considered to be of high and unusual value, in cases where:
  - a) transactions are carried out in particular by newly established companies, the value of which is not justified by the customer's field of activity, or by other economic-financial data;
  - b) funds received or sent to a foreign country, without any apparent connection between the country and the customer;
  - c) financing is carried out by third parties connected to the transaction or payment of other obligations, without any apparent connection between the parties or justification from an economic point of view;
  - c) funds received or sent to countries at high risk for money laundering or terrorist financing, listed by the competent authority or the Council of Ministers, according to point "f", of Article 22 of the law.
3. The transaction is considered to have no apparent economic or legal purpose, in cases where:
  - a) the customer uses multiple bank accounts within or outside the country without any economic or legal reason;
  - b) the customer's personal expenses are financed by a company, business activity or state institution, without any explanation or economic-legal reason;
  - c) the choice of payment method is determined on a date very close to the time of notarization of the act, especially if there is no guarantee ensuring the execution of the payment;
  - c) the contract stipulates an exceptionally short repayment period without providing any logical explanation or economic justification;
  - d) successive and frequent transfers of property from one individual to another without a logical explanation for the change of ownership, accompanied by a significant increase in price (e.g., more than 30% above the reference price of the area);
  - dh) the purchase of properties below the market reference value (e.g. 30% below value) and then their immediate resale or resale within a short period (e.g. 6 years) at a significantly higher value (e.g. over 30% above the reference price of the area), without having reasonable information for this (e.g. restructuring of the property which has led to an increase in value).