

**About approval of the Requirements on elaboration,
adoption and execution of the rules of internal control
by subjects of financial monitoring**

According to point 3 of article 11 of the Law of Republic Kazakhstan from 28th August, 2009 «About counteraction to legalization (washing up) of ill-gotten proceeds and terrorism financing» (hereinafter referred to as Law), I ORDER:

1. To approve of the applied Requirements specified at working out of rules of the internal control by subjects of financial monitoring with a view of counteraction to legalization (washing up) of ill-gotten proceeds and terrorism financing.

2. To Financial monitoring committee of the Ministry of Finance of the Republic Kazakhstan (Utebaev M. S) to provide when due hereunder the state registration of the present order in the Ministry of Justice of the Republic Kazakhstan and its subsequent official publication in mass media.

3. The Vice Minister of Finance Dalenov R. E. shall be charged with supervising the execution of the present order.

4. The present order is enacted from 9th March, 2010 and is subject to official publication.

Minister

B. Zhamishev

«AGREED»

Minister of Justice of the
Republic Kazakhstan
R. Tusupbekov

«__»_____2010

«AGREED»

Chairman of the Agency of the
Republic Kazakhstan on regulation
and supervision of financial market
and financial organizations
E. Bakhmutova

«__»_____2010

«AGREED»

Chairman of the National Bank of the
Republic Kazakhstan
G. Marchenko

«__»_____2010

« AGREED »

Minister of industry and trade
of the Republic Kazakhstan
A. Isekeshev

«__»_____2010

«AGREED»

Acting Minister of tourism and sport of
the Republic Kazakhstan
K. Uskenbaev

«__»_____2010

Requirements on elaboration, adoption and execution of the rules of internal control by subjects of financial monitoring

1. According to point 3 of article 11 of the Law of the Republic Kazakhstan «About counteraction to legalization (washing up) of ill-gotten proceeds and terrorism financing» (hereinafter referred to as Law), the present requirements define the uniform approach to elaboration, adoption and execution of rules of the internal control by subjects of financial monitoring.

2. Rules of the internal control of subjects of financial monitoring should contain following requirements:

The terms specified in point 1 of article 4 of the Law;

The list of operations with money and (or) other property that are subject to the financial monitoring, specified in point 2 of article 4 of the Law;

Criteria of definition of the suspicious operations provided by point 4 of article 4 of the Law;

The list of documents necessary for appropriate check of the clients;

Measures of appropriate check of the clients provided by point 3 of article 5 of the Law;

Measures of appropriate check of banks – correspondents by the subject of financial monitoring establishing the correspondent relations with them;

The bases for refusal of carrying out of operations of the client specified in point 1 of article 13 of the Law;

Measures on obligatory informing of the authorised body on suspicious operations of the client according to point 2 of article 13 of the Law;

Providing of access of officials of subjects of financial monitoring to the identification data and other information on appropriate check of the clients;

Measures on maintenance of order of storage and protection of the information received according to point 3 of article 5 of the Law;

Measures on organization of system of preparation and training of employees of subjects of the financial monitoring involved in the sphere of counteraction to legalization (washing up) of ill-gotten proceeds and terrorism financing;

Requirements to appointment, qualification and preparation of officials.

Subjects of financial monitoring develop, accept and execute the rules of the internal control according to the Law, laws of the Republic Kazakhstan regulating activity of subjects of financial monitoring and provisions of the present Requirements