Republic of Latvia

Cabinet

Regulation No. 408

Adopted 27 August 2019

**Regulations Regarding the Procedures for Submitting Reports on Suspicious Transactions**

*Issued pursuant to*

*Section 31, Paragraph two of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing*

1. The Regulation prescribes the procedures for submitting reports on suspicious transactions (hereinafter – the report), and also approves the sample form of the report.

2. Subjects of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing (hereinafter – the subjects of the Law) shall submit the report electronically through the website (https://zinojumi.fid.gov.lv) maintained by the Financial Intelligence Unit of Latvia.

3. When submitting the report, the subject of the Law shall fill in the sample form specified in Annex 1 to this Regulation in electronic form or shall upload an XML file that has been created according to the content of the sample form referred to in Annex 1 to this Regulation.

4. Other persons may submit the report in paper form by filling in the sample form specified in Annex 2 to this Regulation.

5. Cabinet Regulation No. 281 of 2 July 2019, Regulations Regarding the List of Unusual Transaction Indications and the Procedures for Submitting Reports on Unusual or Suspicious Transactions (*Latvijas Vēstnesis*, 2019, No. 137), is repealed.

6. The Regulation shall come into force on 17 December 2019.

Prime Minister A. K. Kariņš

Minister for Finance J. Reirs

**Annex 1**

Cabinet Regulation No. 408

27 August 2019

**Content of the Sample Form of the Report on a Suspicious Transaction**

(to be submitted on zinojumi.fid.gov.lv)

**\*a = letter; x = letter, digit, or symbol; d = decimal; n = digit**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Information to be included | Name of the field | Format of the data in a field (\*) | Value of the field | Field value category |
| 1 | 2 | 3 | 4 | 5 |
| Type of report | Type of report | Max2(a) | Type of report – value Z | Text |
| Report submission data | Reporting year | Max2(n) | Last two digits of the year when the report was submitted | Number |
| Reporting date | YYYY-MM-DD | Report submission date in the date format YYYY-MM-DD | Date |
| Information on the subject of the Law – submitter of the report | Reporter group | Max2(a) | Code of the reporter group according to the Classification | Text |
| Reporter code | Max4(n) | Code of the regular reporter | Code |
| Information on the subject of the Law – legal person | Name | Max128(x) | Name of the legal person in letters of Latvian or Latin alphabet without quotation marks or apostrophes | Text |
| Form of the legal person | Max60(x) | Form of economic activity of the legal person according to the Classification | Code |
| Registration number | Max32(x) | Registration number of the legal person in the public register | Code |
| Country | Max2(a) | Country of registration of the legal person (two-letter code) | Code |
| Reporter SWIFT code | Max11(x) | SWIFT code of the legal person according to the SWIFT standard | Code |
| Information on the subject of the Law – natural person | Given name  | Max64(x) | Given name(s) of the natural person in letters of Latvian or Latin alphabet. Separator between words – space or hyphen (-) | Text |
| Surname | Max32(x) | Surname(s) of the natural person in letters of Latvian or Latin alphabet. Separator between words – space or hyphen (-) | Text |
| Personal identity number | Max12(x) | Personal identity number of the natural person assigned in Latvia | Code |
| Date of birth | YYYY-MM-DD | Date of birth of the natural person in the date format YYYY-MM-DD | Date |
| Country of issue of the passport or identification document | Max2(a) | Country of issue of the passport of the natural person (two-letter code) | Code |
| Report number | No. of the reporter in the year | Max6(n) | Transaction report number of the reporter in the year | Number |
| Transaction/activity number | Transaction number in the report | Max6(n) | Transaction/activity number in the report | Number |
| Grounds for suspiciousness | Information on grounds for reporting | Max3(x) | Information on grounds for reporting according to the Classification | Code |
| Group of a potential criminal offence | Max 3(x) | Information on the group of potential criminal offences according to the Classification | Code |
| Potential criminal offence | Max 4(x) | Information on the potential criminal offence according to the Classification | Code |
| Typology description (code) | Max 4(x) | Information on the established activities according to the Classification | Code |
| Typology description (text) | Max 250(x) | Information on the established activities, text in letters of Latvian or Latin alphabet without quotation marks or apostrophes | Text |
| Grounds for suspiciousness | Max 1500(x) | Text in letters of Latvian or Latin alphabet without apostrophes and quotation marks regarding the substance of the transaction which is not reflected in other fields | Text |
| Place where the suspicious transaction was executed | Whether the transaction was executed at the subject (type of a transaction institution) | Max(2)x | Choice of the transaction institution according to the Classification (reporting institution, SWIFT or another transaction institution) | Code |
| Transaction institution SWIFT | Max11(x) | SWIFT code of the legal person according to the SWIFT standard | Code |
| Country of registration of the institution | Max2(a) | Country of registration of the transaction institution (two-letter code) | Code |
| Registration number of the institution | Max32(x) | Registration number of the transaction institution in the public register | Code |
| Information on the suspicious transaction | Status of the transaction | Max64(x) | Status of the transaction according to the Classification | Code |
| Transaction date | YYYY-MM-DD | Transaction execution date in the date format YYYY-MM-DD | Date |
| End date of the transaction | YYYY-MM-DD | Transaction end date in the case of several transactions in the date format YYYY-MM-DD | Date |
| Code of the transaction type | Max3(x) | Code of the transaction type according to the Classification | Code |
| Reported to the SRS | Max2(a) | Whether it has been reported to the State Revenue Service. Codes: yes/no | Code |
| Currency of the transaction | Max3(a) | Code of the currency of the transaction according to the Classification | Code |
| Sum of transaction | Max16(d) | Transaction sum in one currency format 0.00 | Number |
| Information on the participant or participants of the suspicious transaction or suspicious activity |
| Information on the account of the transaction/activity participant | SWIFT code of the transaction participant | Max11(x) | SWIFT code of the transaction participant according to the SWIFT standard | Code |
| Account of the transaction participant | Max32(x) | Account of the transaction participant in IBAN format: the maximum length for accounts in Latvia – 21 character, for other accounts – 32 characters | Code |
| Indication on the connection of the transaction/activity participant with the submitter of the report – the subject of the Law | My customer | Max 2(a) | Indication on the affiliation of a participant to the reporting institution according to the Classification “Is it my customer”. Codes: yes/no | Code |
| Role of the transaction/activity participant | Role of the person | Max2(a) | Role of the person according to the Classification. Role for the first person in case of activity is “Customer” | Code |
| Transaction/activity participant – legal person | (1) Name of the legal person | Max128(x) | Name of the legal person in letters of Latvian or Latin alphabet without quotation marks or apostrophes | Text |
| (2) Form of the legal person | Max60(x) | Form of economic activity of the legal person according to the Classification | Text |
| (3) Country of registration of the legal person | Max2(a) | Country of registration of the legal person (two-letter code) | Code |
| (4) Registration number of the legal person | Max32(x) | Registration number of the legal person in the public register | Code |
| (5) Country of residence of the legal person | Max2(a) | Country of address of the legal person (two-letter code) | Code |
| (6) Address of the legal person | Max128(x) | Address of the legal person in letters of Latvian or Latin alphabet | Text |
| (7) Country of alternative address of the legal person | Max2(a) | Country of alternative address of the legal person (two-letter code) | Code |
| (8) Alternative address of the legal person | Max128(x) | Alternative address of the legal person in letters of Latvian or Latin alphabet | Text |
| (9) Notes of the legal person | Max32(x) | Notes on the legal person in letters of Latvian or Latin alphabet without quotation marks or apostrophes | Text |
| Transaction/activity participant – natural person | (1) Given name of the natural person | Max64(x) | Given name(s) of the natural person in letters of Latvian or Latin alphabet. Separator between words – space or hyphen (-) | Text |
| (2) Surname of the natural person | Max32(x) | Surname(s) of the natural person in letters of Latvian or Latin alphabet. Separator between words – space or hyphen (-) | Text |
| (3) Personal identity number of the natural person assigned in Latvia | Max12(x) | Personal identity number of the natural person assigned in Latvia | Code |
| (4) Date of birth of the natural person | YYYY-MM-DD | Date of birth of the natural person in the date format YYYY-MM-DD | Date |
| (5) Foreign identification document of the natural person | Max32(x) | Personal identity number of the natural person assigned in a foreign country | Code |
| (6) Country of issue of the foreign identification document of the natural person | Max2(a) | Country of issue of the identification document of the natural person issued outside Latvia (two-letter code) | Code |
| (7) Number of the personal identification document of the natural person | Max32(x) | Number of the personal identification document of the natural person | Code |
| (8) Country of issue of the personal identification document of the natural person | Max2(a) | Country of issue of the personal identification document of the natural person (two-letter code) | Code |
| (9) Country of address of the natural person | Max2(a) | Country of address of the natural person (two-letter code) | Code |
| (10) Address of the natural person | Max128(x) | Address of the natural person in letters of Latvian or Latin alphabet | Text |
| (11) Country of alternative address of the natural person | Max2(a) | Country of alternative address of the natural person (two-letter code) | Code |
| (12) Alternative address of the natural person | Max128(x) | Alternative address of the natural person in letters of Latvian or Latin alphabet | Text |
| (13) Notes of the natural person | Max32(x) | Notes of the natural person in letters of Latvian or Latin alphabet without quotation marks or apostrophes | Text |
| Additional information on each participant – customer of the subject of the Law – included in the report on a suspicious transaction or activity |
| Additional information on the account | Account number of the participant | Max32(x) | Account of the participant in IBAN format: the maximum length for accounts in Latvia – 21 character, for other accounts – 32 characters | Code |
| Type of account of the participant | Max3(x) | Type of account of the participant according to the Classification | Code |
| Sub-account number of the participant | Max32(x) | Sub-account of the participant at the reporting institution in IBAN format or in the format of the internal system of the institution: the maximum length – 32 characters | Text |
| Account of the participant is opened | YYYY-MM-DD | Date of opening the account of the participant in the date format YYYY-MM-DD | Date |
| Account of the participant is closed | YYYY-MM-DD | Date of closing the account of the participant in the date format YYYY-MM-DD | Date |
| Base currency of the account of the participant | Max3(x) | Base currency of the account of the participant according to the Classification | Code |
| Method of opening the account of the participant | Max2(x) | Method of opening the account of the participant according to the Classification | Code |
| Balance of the customer account(s) on the report submission date (including a negative balance) | Balance of the participant account(s) in EUR on the report submission date | Max16(d) | Balance of the participant account in EUR in the currency format 0.00 | Number |
| Additional information on the balance of the participant account | Max120(x) | Additional information on the balance of the participant account in letters of Latvian or Latin alphabet | Text |
| Additional information on the activity of the costumer | Is it a high-risk customer? | Max2(a) | Indication on the risk assessment of the transaction/activity participant in the reporting institution according to the Classification | Code |
| Field of economic activity of the costumer | Max6(x) | Field of economic activity of the transaction/activity participant according to the Classification | Code |
| Description of economic activity of the costumer | Max200(x) | Description of economic activity of the transaction/activity participant in letters of Latvian or Latin alphabet | Text |
| Is the costumer linked with Latvia? | Max2(a) | Indication on the link of the customer with Latvia according to the Classification | Code |
| Country of initial identification of the customer | Max2(a) | Country of initial identification of the participant (customer) (two-letter code) | Code |
| Information on the beneficial owner (BO) of the transaction/activity participant | Type of BO | Max12(x) | Indication on the type of BO according to the Classification | Code |
| Data of the natural person according to the fields “Transaction/activity participant – natural person” |
| Information on the group of persons related to the customer | Category of the related person | Max12(x) | Category of the related person according to the Classification in a group of mutually related clients | Code |
| Data of the natural person according to the fields “Transaction/activity participant – natural person” |
| Data of the legal person according to the fields “Transaction/activity participant – legal person” |
| Information on the person who attracted the customer | Whether the customer has been attracted through outsourcing | Max2(a) | Indication on the attraction of a transaction/activity participant – whether the customer has been attracted through outsourcing. Choice according to the Classification | Code |
| Data of the natural person according to the fields “Transaction/activity participant – natural person” |
| Data of the legal person according to the fields “Transaction/activity participant – legal person” |
| Information on the owners of the customer (for a legal person registered abroad) on the report submission date | Date of appointing the owner of the customer | YYYY-MM-DD | Date of appointing the owner in the date format YYYY-MM-DD | Date |
| Shares of a legal person (%) owned by the owner | Max6(d) | Shares in per cent in the format 0.00 of the owner of the customer – legal person | Number |
| Data of the natural person according to the fields “Transaction/activity participant – natural person” |
| Data of the legal person according to the fields “Transaction/activity participant – legal person” |
| Information on the relation of the persons included in the report to a politically exposed person (PEP) | Whether the person is PEP | Max6(x) | Indication – whether the transaction participant is a politically exposed person Codes: yes/no/don’t know | Code |
| Relation to PEP | Max6(x) | Indication – whether the PEP is the related person of a customer Codes: yes/no/don’t know | Code |
| Role of the person related to PEP | Max2(a) | Role of the person according to the Classification. | Code |
| Data of the natural person according to the fields “Transaction/activity participant – natural person” |
| Annexes to the report | Annexes – account statement | Name of the appended file  |
| Annexes – information on the customer due diligence | Name of the appended file  |
| Annexes – information on transactions | Name of the appended file  |
| Annex – IP addresses | Name of the appended file  |

Minister for Finance J. Reirs

**Annex 2**

Cabinet Regulation No. 408

27 August 2019

**Report on a Suspicious Transaction**

(to be submitted in paper format)

Sections I, II, and IV shall be completed by all submitters of the report. If several transactions are to be included in the report, Sections III, IV, and V shall be repeated as needed.

|  |  |
| --- | --- |
| **I.** | **Information on the submitter (person who has submitted the report on a suspicious transaction)** |
| **1. Submitter of the report is a legal person** |
| 1.1. Name of the legal person |  |
| 1.2. Registration number of the legal person |  |
| 1.3. Country of registration of the legal person |  |
| **2. Submitter of the report is a natural person** |
| 2.1. Given name(s), surname of the natural person |  |
| 2.2. Personal identity number (assigned in Latvia) |  |
| 2.3. Date of birth |  |
| 2.4. Country of issue of the passport or ID |  |
| **3. Correspondence address** |  |
| **4. E-mail** |  |
| **5. Reporting date** |  | **6. Report number in a year** |  |
| **II.** | **Grounds for suspiciousness** |
| 1. Information on the potential criminal offence (underline as appropriate) | Suspicions of money laundering (predicate offence is not identified) | Suspicions of a predicate offence and money laundering |
| Suspicions of a predicate offence | Suspicions of the provision of professional assistance in money laundering |
| 2. Group of a potential criminal offence (according to the Classification on fid.gov.lv, for example, tax crimes, corruption, financial crimes etc.) |  | 3. Potential criminal offence (according to the Classification on fid.gov.lv, for example, violation of work remuneration provisions, fraud, misappropriation, etc.) |  |
| 4. Established type or typology of activity (indicate at least three established types of activity according to the Classification on fid.gov.lv) | 1.2.3. |
| 5. Grounds for suspiciousness |  |
| **III.** | **Information on the transaction (if it is known to the submitter of the report)** |
| Information on the place of transaction (fields 1, 2, 3 or only field 4 shall be completed) |
| 1. Name of the place of transaction (institution) |  |
| 2. Registration number of the place of transaction |  |
| 3. Registration number of the place of transaction |  |
| 4. SWIFT of the transaction institution |  |
| Information on the transaction |
| 1. Transaction date (dd.mm.yyyy.) |  | 2. End date of the transaction (if several transactions are combined) (dd.mm.yyyy.) |  |
| 3. Status of the transaction (underline as appropriate) | PlannedCommencedDeferred | ProposedApprovedExecuted | ConsultedOther *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| 4. Code of the transaction type (according to the Classification on fid.gov.lv, for example, lending, cash transfer, etc.) |  |
| 5. Sum of transaction(0.00) |  | 6. Currency(three-letter code) |  |
| 7. Specific notes(if necessary, underline as appropriate) | Terrorism financing or proliferation financing | Relation to a politically exposed person | Reported also to the law enforcement institutions |
| **IV.** | **1. Performer of the transaction** (in transactions without movement of money (insurance, currency exchange, winnings, etc.))**2. Sender** (in transactions with movement of money) |
| **Information on the account of the sender/performer of the transaction** | 1. SWIFT code of the sender/performer of the transaction |  |
| 2. Account number of the sender/performer of the transaction |  |
| **Legal person** –the performer of the transaction or sender | 3. Name of the legal person with the abbreviated name of the type of economic activity (Ltd, JSC, sole proprietorship, etc.) at the end |  |
| 4. Registration number of the legal person |  |
| 5. Two-letter code of the country of registration of the legal person |  |
| 6. Address of the legal person |  |
| 7. Two-letter code of the country of address of the legal person |  |
| 8. Alternative address of the legal person (if there are several) |  |
| 9. Two-letter code of the country of alternative address of the legal person |  |
| **Additional information on the legal person** |  |
| **Natural person** – the performer of the transaction or sender, or the authorised person of the legal person | 10. Given name(s) |  |
| 11. Surname |  |
| 12. Personal identity number |  |
| 13. Country where the personal identity number is assigned |  |
| 14. Date of birth (dd.mm.yyyy.) |  |
| 15. Number of the personal identification document |  |
| 16. Two-letter code of the country of issue of the personal identification document |  |
| 17. Foreign ID of the person (if known) |  |
| 18. Two-letter code of the country of issue of the foreign ID of the person |  |
| 19. Address of the person |  |
| 20. Two-letter code of the country of address of the person |  |
| 21. Alternative address of the person (if there are several) |  |
| 22. Two-letter code of the country of alternative address of the person |  |
| **Additional information on the natural person** |  |
| **V.** | **Recipient of the money** (this section shall be filled in only if movement of money is reported;not to be filled in when reporting on insurance, currency exchange, winnings, etc.) |
| **Information on the account of the recipient of the money** | 1. SWIFT code of the recipient account |  |
| 2. Recipient account number |  |
| **Legal person**– recipient of the money | 3. Name of the legal person with the abbreviated name of the type of economic activity (Ltd, JSC, sole proprietorship, etc.) at the end |  |
| 4. Registration number of the legal person |  |
| 5. Two-letter code of the country of registration of the legal person |  |
| 6. Address of the legal person |  |
| 7. Two-letter code of the country of address of the legal person |  |
| 8. Alternative address of the legal person (if there are several) |  |
| 9. Two-letter code of the country of alternative address of the legal person |  |
| **Additional information on the legal person** |  |
| **Natural person** – the recipient of the money or the authorised person of the legal person | 10. Given name(s) |  |
| 11. Surname |  |
| 12. Personal identity number |  |
| 13. Country where the personal identity number is assigned |  |
| 14. Date of birth (dd.mm.yyyy.) |  |
| 15. Number of the personal identification document |  |
| 16. Two-letter code of the country of issue of the personal identification document |  |
| 17. Foreign ID of the person (if known) |  |
| 18. Two-letter code of the country of issue of the foreign ID of the person |  |
| 19. Address of the person |  |
| 20. Two-letter code of the country of address of the person |  |
| 21. Alternative address of the person (if there are several) |  |
| 22. Two-letter code of the country of alternative address of the person |  |
| **Additional information on the natural person** |  |
| **VI.** | **Another participant of the transaction** (the fields of Section VI are repeated as needed) |
| Role of another participant in the transaction (beneficial owner, organiser, etc.) |  |
| **Information on the account of another participant** | 1. SWIFT code |  |
| 2. Account number |  |
| **Another person**– legal person | 3. Name of the legal person with the abbreviated name of the type of economic activity (Ltd, JSC, sole proprietorship, etc.) at the end |  |
| 4. Registration number of the legal person |  |
| 5. Two-letter code of the country of registration of the legal person |  |
| 6. Address of the legal person |  |
| 7. Two-letter code of the country of address of the legal person |  |
| 8. Alternative address of the legal person (if there are several) |  |
| 9. Two-letter code of the country of alternative address of the legal person |  |
| **Additional information on the legal person** |  |
| **Another natural person** – the participant of the transaction | 10. Given name(s) |  |
| 11. Surname |  |
| 12. Personal identity number |  |
| 13. Country where the personal identity number is assigned |  |
| 14. Date of birth (dd.mm.yyyy.) |  |
| 15. Number of the personal identification document |  |
| 16. Two-letter code of the country of issue of the personal identification document |  |
| 17. Foreign ID of the person (if known) |  |
| 18. Two-letter code of the country of issue of the foreign ID of the person |  |
| 19. Address of the person |  |
| 20. Two-letter code of the country of address of the person |  |
| 21. Alternative address of the person (if there are several) |  |
| 22. Two-letter code of the country of alternative address of the person |  |
| **Additional information on the natural person** |  |
| **VII.** | **Annexes** |
| Type of Annex | Number of pages |
| Copy of the personal identification document |  |
| Copy of the registration certificate |  |
| Account statement |  |
| Copy of the contract |  |
| Transaction scheme |  |
| Other  |  |

Minister for Finance J. Reirs