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| **Financial Institution Name: The National Bank of Kazakhstan** |
| **Location: 21, Koktem-3, Almaty 050040, Kazakhstan** |

This questionnaire acts as an aid to firms conducting due diligence and should not be relied on exclusively or excessively. Firms may use this questionnaire alongside their own policies and procedures in order to provide a basis for conducting client due diligence in a manner consistent with the risk profile presented by the client. The responsibility for ensuring adequate due diligence, which may include independent verification or follow up of the answers and documents provided, remains the responsibility of the firm using this questionnaire.

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| **Anti-Money Laundering Questionnaire** | | |
| If you answer “no” to any question, additional information can be supplied at the end of the questionnaire. | | |
| **I. General AML Policies, Practices and Procedures:** | Yes | No |
| 1. Is the AML compliance program approved by the FI’s board or a senior committee? | Y • | N • |
| 1. Does the FI have a legal and regulatory compliance program that includes a designated officer that is responsible for coordinating and overseeing the AML framework? | Y • | N • |
| 1. Has the FI developed written policies documenting the processes that they have in place to prevent, detect and report suspicious transactions? | Y | N • |
| 1. In addition to inspections by the government supervisors/regulators, does the FI client have an internal audit function or other independent third party that assesses AML policies and practices on a regular basis? | Y • | N • |
| 1. Does the FI have a policy prohibiting accounts/relationships with shell banks? *(A shell bank is defined as a bank incorporated in a jurisdiction in which it has no physical presence and which is unaffiliated with a regulated financial group.)* | Y • | N |
| 1. Does the FI have policies to reasonably ensure that they will not conduct transactions with or on behalf of shell banks through any of its accounts or products? | Y • | N |
| 1. Does the FI have policies covering relationships with Politically Exposed Persons (PEP’s), their family and close associates? | Y | N • |
| 1. Does the FI have record retention procedures that comply with applicable law? | Y • | N |
| 1. Are the FI’s AML policies and practices being applied to all branches and subsidiaries of the FI both in the home country and in locations outside of that jurisdiction? | Y • | N |
| **II. Risk Assessment** | Yes | No |
| 1. Does the FI have a risk-based assessment of its customer base and their transactions? | Y • | N |
| 1. Does the FI determine the appropriate level of enhanced due diligence necessary for those categories of customers and transactions that the FI has reason to believe pose a heightened risk of illicit activities at or through the FI? | Y • | N |
| **III. Know Your Customer, Due Diligence and Enhanced Due Diligence** | Yes | No |
| 1. Has the FI implemented processes for the identification of those customers on whose behalf it maintains or operates accounts or conducts transactions? | Y • | N |
| 1. Does the FI have a requirement to collect information regarding its customers’ business activities? | Y • | N |
| 1. Does the FI assess its FI customers’ AML policies or practices? | Y • | N |
| 1. Does the FI have a process to review and, where appropriate, update customer information relating to high risk client information? | Y • | N • |
| 1. Does the FI have procedures to establish a record for each new customer noting their respective identification documents and ‘Know Your Customer’ information? | Y • | N |
| 1. Does the FI complete a risk-based assessment to understand the normal and expected transactions of its customers? | Y • | N |
| **IV. Reportable Transactions and Preventions and Detections of Transactions with Illegally Obtained Funds** | Yes | No |
| 1. Does the FI have policies or practices for the identification and reporting of transactions that are required to be reported to the authorities? | Y • | N |
| 1. Where cash transaction reporting is mandatory, does the FI have procedures to identify transactions structured to avoid such obligations? | Y | N • |
| 1. Does the FI screen customers and transactions against lists of persons, entities or countries issued by government / competent authorities? | Y • | N |
| 1. Does the FI have policies to reasonably ensure that it only operates with correspondent banks that possess licenses to operate in their countries of origin? | Y • | N |
| 1. Does the FI adhere to the Wolfsberg Transparency Principles and the appropriate usage of the SWIFT MT 202/202COV and   MT 205/205COV message formats?[[1]](#footnote-1) | Y • | N |
| **V. Transaction Monitoring** | Yes | No |
| 1. Does the FI have a monitoring program for unusual and potentially suspicious activity that covers funds transfers and monetary instruments such as travelers checks, money orders, etc? | Y • | N • |
| **VI. AML Training** | Yes | No |
| 1. Does the FI provide AML training to relevant employees that includes:  * Identification and reporting of transactions that must be reported to government authorities. * Examples of different forms of money laundering involving the FI’s products and services. * Internal policies to prevent money laundering. | Y • | N • |
| 1. Does the FI retain records of its training sessions including attendance records and relevant training materials used? | Y | N • |
| 1. Does the FI communicate new AML related laws or changes to existing AML related policies or practices to relevant employees? | Y • | N |
| 1. Does the FI employ third parties to carry out some of the functions of the FI? | Y | N • |
| 1. If the answer to question 27 is yes, does the FI provide AML training to relevant third parties that includes:  * Identification and reporting of transactions that must be reported to government authorities. * Examples of different forms of money laundering involving the FI’s products and services. * Internal policies to prevent money laundering. | Y | N • |

Space for additional information

*(Please indicate which question the information is referring to)*

***Questions 1, 2, 3, 4, 18, 19, 24, 25***

*The National Bank (NBK) has a uniform AML/CFT policy-the policy Of the National Bank of the Republic of Kazakhstan on combating legalization (laundering) of proceeds from crime and financing of terrorism.*

*Subject to sub-point 1) of point 2 of clause 18 of the Law of the Republic of Kazakhstan «On Anti-Money Laundering* *and Combating the Financing of Terrorism» dated 28th of August 2009 (hereafter – AML Law), the NBK as a government agency reports to an authorized authority in case of detection of any suspicious transactions. Such suspicious transactions identification criteria are approved by the Government of the Republic of Kazakhstan Resolution no.1484 dated November 23, 2012.*

***Questions 5, 6***

*According to clause 52 of the Law “On the National Bank of Kazakhstan” the bank accounts holders in the NBK are banks and legal entities, which opened accounts in a proper manner as approved by the Board of the NBK.*

*At the same time regulatory acts of NBK set strict requirements with regard to the ensuring valid identity of those banks having correspondent relations with NBK which prevents establishing any relations with shell banks. For the purpose of account opening NBK requires a extensive list of documents for submission by banks and legal entities, including legal entity registration (re-registration) certificate, original copy or notarised extract from trade register or the equivalent document which contains information concerning the authority which authorised such legal entity (non-resident), registration number, date and place of registration, taxpayer certificate (for non-residents) and other identifier documents.*

*Subject to internal rules regulating account opening procedures for non-residents, such accounts can be opened only in the following cases:*

*1) if non-resident participating in international, inter-government or other international programs, which require opening of the account in NBK;*

*2) subject to request of the central (national) bank of the foreign state to open for non-resident correspondent account in NBK.*

*Thus, accounts for shell-banks cannot be opened in NBK due to said requirement of presenting relevant documents and certain procedures on opening of bank account under applicable laws.*

*Correspondent and dealing relations shall be entered into with banks and special purpose companies of those countries which Kazakhstan established diplomatic relationship with.*

***Questions 7, 10, 11, 14, 15, 17, 23***

*NBK, as a central bank, cannot provide banking services for individuals, respectively NBK does not provides services to PEP’s and their family.* *The categories of legal entities which can be serviced by NBK are defined in NBK Board Resolution no.52 dated June 5, 2006 “On approval of the legal entities categories serviced by NBK” (the “Resolution of the Board no. 52”) (a restricted list of the legal entities categories with potentially “low” level of AML risk, which*

*includes subsidiaries of NBK, government-owned enterprises, quasi-public sector organizations, local banks, which are supervised by NBK among all other things with regard to compliance with AML Law).*

***Question 9***

*NBK is a legal entity with organizational and legal form of the republican state entity, which has its own balance and which together with its branches, representative offices, branches and instrumentalities collectively forms a single entity.*

***Questions 12, 13, 14, 15, 16, 18, 19, 21***

*Where payments are made pursuant to client orders NBK produces payment documents/reporting with indication of the client account number, title, IIN (individual identification number).*

*NBK maintains separate files/books for each customer, including full information about the customer – statutory documents copies, copy of the legal entity registration certificate, list of authorized signatures and stamp impression, documents (certificates) on registration of the legal entity, copy of non-resident taxpayer certificate and other documents.*

***Question 14***

*In frame of supervisory functions NBK executes procedures of checkup of the banks and organizations which carry out some banking operations on compliance with legislation of the Republic of Kazakhstan on AML.*

*Other categories of the legal entities (indicated in Resolution of the Board no. 52) are not subjects of the financial monitoring, respectively requirements of the AML Law are not applicable to such legal entities.*

***Question 22***

*With respect to the central bank activity NBK adheres Wolfsberg Transparency Principles.* NBK is using SWIFT format MT 202*.*

***Question 23***

*All operations executed by NBK in favor of the clients shall be done in accordance with agreements, contracts, decisions, protocols and other confirmations, provided by the clients.*

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| **Name: O. Smolyakov** |
| **Title: Deputy Governor** |
| **Signature:** |
| **Date:** |

1. The four payment message standards to be observed are: i) FIs should not omit, delete, or alter information in payment messages or orders for the purpose of avoiding detection of that information by any other FI in the payment process; ii) FIs should not use any particular payment message for the purpose of avoiding detection of information by any other FI in the payment process; iii) Subject to applicable laws, FIs should cooperate as fully as practicable with other FIs in the payment process when requesting to provide information about the parties involved; and (iv) FIs should strongly encourage their correspondent banks to observe these principles. Source: <http://www.wolfsberg-principles.com/pdf/standards/Wolfsberg_NYCH_Statement_on_Payment_Message_Standards_(2007).pdf> [↑](#footnote-ref-1)