

Convergence Romania Financial Sector Modernization

Special Projects Initiative Public-Private Steering Committee



Amendment of the AML law

Project Objective

Draft amendment of the AML law in line with the EU Third Directive provisions, which will address both banks' concerns for cost-effectiveness of reporting and avoidance of reputational and legal risks, and authorities' concerns for maintaining high standards about AML.

Project Management Team

Project Owner (PO): Petre Bunescu (RBA Vice President)

Project Manager (PM): Doru Bebe Bulata (Director, BCR)

Deputy Project Manager (DPM): Paula Lavric (State Secretary, AML Office)

Minutes

Fifth Meeting

December 9th 2006 – RBI Premises

Attendees: Doru Bulata, PM
Paula Lavric, DPM
Liana Teodorescu, member
Magdalena Calangiu, member
Constantin Jumuga, member
Ramona Bratu, SPI Secretariat

Agenda

1. Finishing the amendment proposals.

All the issues being on the list for amending were discussed, changes formulated and arguments brought.

Some of the proposals reached the present PWG members agreement, but some issues are still under discussions:

- reducing the prolongation of the suspension period from 4 banking days to 48 hours: although sustained, the proposal has low chances to be difficult to be met in practice and a 72 hours period could be more feasible;
- increasing the reporting threshold for the cross-border transfers from EUR 10.000 to EUR 50.000 cannot be satisfactory for the monitoring requirements;
- the proposals regarding the AML Office's feedback exceed the current institutional capabilities.

SPI Secretariat will translate and send the proposed amendments to the appointed Peer Reviewer, for an independent evaluation against the FATF 40+9 and the methodology used to assess them, as well as against the Third Directive.

SPI Secretariat will write the 4th chapter on the basis of the comparative table and send both the paper and the table for revision to the PWG.

DPM will provide input for the paper.

PWG next meeting is to be agreed also together with the newly appointed members from NBR and MoPF.